EXHIBIT L

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

April 13, 2000

Reply to
Attn of: ORC-158

MEMORANDUM

SUBJECT: Quinault Indian Nation, Washington; Eligibility for "Treatment As A State" for a Grant under Section 106 of the Clean Water Act

FROM: Mary St. Peter
Assistant Regional Counsel

TO: Diana Boquist
Tribal Office

This memorandum summarizes my legal analysis for the Office of Regional Counsel of whether the Quinault Indian Nation (QIN or the Tribe) is eligible for a grant under the authority of Section 106 of the Clean Water Act (CWA), 33 U.S.C. § 1256. It is my opinion that the Quinault Indian Nation is eligible for the a grant under Section 106 of the CWA.

On February 2, 2000, the Tribe applied for a TAS determination in order to qualify for grants under the Water Pollution Control and Groundwater Management Program (the Application) pursuant to CWA Section 106 . Section 106 provides the authority for EPA to provide funds to an eligible Indian tribe to administer programs for the prevention, reduction and elimination of water pollution, including the development and implementation of ground-water protection strategies. In addition, Section 106(e) of the CWA, and EPA regulations at 40 C.F.R. 35.260(b) state that EPA will not award any Section 106 funds to a tribe that does not have an authority comparable to Section 504 of the CWA. My review also finds that the Tribe has demonstrated that it has a tribal authority comparable to Section 504 of the CWA.

To be eligible for grants under Section 106 of the CWA, the Tribe must meet the criteria of Section 518(e) of the CWA, 33 U.S.C. § 1378(e), as set forth in EPA regulations at 40 C.F.R. § 130.6(d), and meet the requirements of Section 106 (e) of the CWA, by demonstrating that it has the authority comparable to Section 504 of the CWA. This memorandum addresses whether QIN meets the eligibility criteria of Section 518(e) of the CWA and 40 C.F.R. Part 130, as amended, and whether it has demonstrated equivalent emergency powers comparable to CWA Section 504.

EVALUATION OF REQUIREMENTS FOR ELIGIBILITY OF TRIBES

EPA regulations at 40 CFR Part 130.6(d), which implement Section 518 of the Clean Water Act, provide that an Indian Tribe may be eligible if the Tribe meets the following criteria:

1. Recognition by the Secretary of the Interior. The Quinault Indian Nation, Taholah, Washington, is a federally recognized Indian tribe. See Notice, Bureau of Indian Affairs, 63 Federal Register 71941, December 30, 1998, which lists entities recognized as tribes.

2. Governing body carrying out substantial governmental duties and powers. The Tribe's Application shows that the Quinault Business Committee(QBC)of QIN carries out duties and powers as the governing body of the Tribe. The Application documents that the QIN operates Tribal programs, enacts Tribal laws and ordinances, operates the Quinault Tribal Court system, and provides law enforcement services.

3. The Tribe has demonstrated the legal basis for the QIN's regulatory authority over water resources within the borders of the Quinault Indian Reservation. The Tribe's Application includes a legal analysis by the General Counsel to the QIN that describes the legal basis of the Tribe's authority over the Reservation. That memo, adequately supported by citation to federal laws and cases, concludes that the QIN has the authority to abate and enjoin pollution sources or releases that take place within the boundaries of the Quinault Indian Reservation, including emergency powers comparable to Section 504 of the CWA. Pages 7-10 and Exhibits 3,4,5 and 6 to the Application.

4. The Tribe is reasonably expected to be capable of carrying out the program. Incorporated into this analysis is a memo by Alan Moomaw, of the Tribal Office, dated April 12, 2000, which is attached. After reviewing the QIN Application and citing the Tribal Coordinator Robin Slate's personal experience with QIN staff, he concludes that the QIN has demonstrated the capability to administer and manage an effective water pollution control and groundwater management program.

CONCLUSION

Based on this analysis that shows the QIN meets the requirements of Sections 518 and 106 of the Clean Water Act, I conclude that the Tribe is eligible for a grant under Section 106 of the CWA.

cc: Alan Moomaw

Quinault Indian Nation

POST OFFICE BOX 189 ☐ TAHOLAH, WASHINGTON 98587 ☐ TELEPHONE (360)276-8211

February 1, 2000

U.S. Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

Attention : Dianna Boquist

Please find attached the Quinault Indian Nation's application documents for the FY 2000 Clean Water Act Section 106, Water Pollution Control and Groundwater Management Programs. Included in this package are the original signed Application for federal assistance documents; CWA section 106 Scope of Work; and, the Quinault Nation TAS application package.

The Nation is requesting $60,00.00 to install a new stream gauge and improve water quality monitoring on the lower Quinault River, we will also hire a tribal member as our second water quality technician. These additions are important to expand the ongoing water quality program of the Quinault Indian Nation.

The Nation appreciates the consideration shown by your office in permitting us to submit this application. If you have any questions regarding this application, please contact Wilma Hudson, Grants & Contracts Officer at (360) 276-8215, extension 263 regarding financial or contract matters; or John Sims, Environmental Protection Division Manager, for technical questions relating to the scope of work. .

Sincerely,

Virginia Brings Yellow

Virginia Brings Yellow, Treasurer
Quinault Indian Nation

APPLICATION of the QUINAULT INDIAN NATION
for TREATMENT as a STATE PURSUANT to
33 U.S.C. §§1251 et seq. and THE WATER QUALITY ACT of 1987

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QUINAULT INDIAN NATION
P.O. Box 189, Taholah WA 98587

APPLICATION of the QUINAULT INDIAN NATION for TREATMENT as a STATE PURSUANT to 33 U.S.C. §§1251 et seq. and THE WATER QUALITY ACT of 1987

January 28, 2000

I. GENERAL ADMINISTATIVE INFORMATION

A. Applicant. The applicant is the Quinault Indian Nation (QIN).

B. Applicant's Address. The mailing address of QIN is Box 189, Taholah, WA 98587.

C. Applicant's Telephone Number. The telephone number for the QIN is (360) 276-8211. The fax number is (360) 276-4682

D. Applicant's Representatives. Representatives of the QIN with regard to this application are as follows:

1. Pearl Capoeman-Baller, President, Quinault Indian Nation, P.O. Box 189. Taholah, WA 98587

2. David Martin, Vice President, Quinault Indian Nation, PO Box 189, Taholah, WA 98587.

3. Fawn Sharp, Richard Reich and Eric Nielsen, Reservation Attorneys , PO Box 189, Taholah, WA 98587. Licensed to practice in the State of Washington

E. This application was prepared on behalf of the QIN by John Sims, Manager, Environmental Protection Division, Department of Natural Resources, reviewed by the representatives listed above, and approved by the Quinault Business Committee.

F. Purposes of Application. The QIN seeks treatment as a state pursuant to section 518 of the Clean Water Act, 33 U.S.C. Section 1251 et seq., as amended by the Water Quality Act of 1987 (P.L. 100-4, February 4, 1987). This application will support the submission by the QIN of its Grant Application for Funding under CWA §106, to Develop a Non-point Source Water Pollution Assessment and Management Plan, for EPA's review and approval.

G. This application has been reviewed by the Quinault Indian Nation Business Committee, the governing body of the QIN, by Resolution 00-____-____, adopted on January 28, 2000, which Resolution is attached to this application as **Exhibit 1** and made a part hereof for all purposes.

H. Date of Application. The date of this application is January 28, 2000.

II. FEDERAL RECOGNITION

The United States and the Quinault Indian Nation are parties to the Treaty of Olympia of 1855, (12 STAT. 97; II Kappler 719). Federal recognition of the Nation has continued to this day as evidenced by notice appearing in the Federal Register on December 30, 1998 (63 F.R. 71941). A copy of this notice is attached as **Exhibit 2**, attached hereto and made a part hereof for all purposes. The Reservation was created on July 1, 1855 and expanded in 1873. The Enabling Act under which Washington was admitted to statehood did not become law until February 22nd, 1889, and the State was not admitted to the Union until November 11, 1889 (United States v. Moore, 62 F. Supp. 660 at 663 (U.S. Dist. Ct.--W.D. Wash. 1945). Thus, the Reservation predates the existence of the State of Washington as discussed below, this is a significant jurisdictional fact (see discussion at page 8, *infra*).

III. SUBSTANTIAL GOVERNMENTAL DUTIES AND POWERS.

A. Form of Government.

The QIN is an Indian Nation organized under a constitution adopted by the membership on March 22, 1975. The Quinault Business Committee is the duly constituted governing body of the QIN by the authority of Article V of the Constitution and Bylaws of the QIN. The QIN Constitution and Bylaws establish the Quinault Business Committee (QBC) as the governing body of the Nation and delegate to the QBC broad governmental powers. A copy of the Constitution and Bylaws is attached as **Exhibit 3** and made a part hereof for all purposes.

B. Authority of the Quinault Business Committee.

Under the Nation's Constitution, Article V, the QBC's authority includes the following:

1. To negotiate with the Federal, State, local governments or agencies, and other public or private organizations or persons on behalf of the QIN; provided, that these agreements are not in conflict with the Constitution, instructions of the General Council, or laws of the QIN;

2. To administer any funds in control of the QIN;

3. To employ legal counsel for the protection and advancement of the rights of the QIN and its members. To approve any acquisition, sale, disposition, lease or encumbrance of tribal assets

4. To provide for the zoning and other land use regulation of all lands within the boundaries of the Quinault Reservation and the jurisdiction of the QIN; and for the purity, volume, and use of all water to which the QIN and the Quinault people are entitled; and for the purity of the air within the Quinault Reservation;

5. To manage, lease permit, sell, or otherwise deal with tribally owned lands, tribally owned interests in lands, water rights, fishing stations, mineral rights, hunting grounds, fish and wildlife resources; or other tribally owned assets, and to purchase

or otherwise acquire lands or interest in lands within or without the Reservation, and to hold those lands in tribal or federal trust and to regulate allotted trust and non-trust lands within the Reservation boundaries insofar as such regulation is not prohibited by federal law and does not violate the rights of owners; provided, that tribally owned lands held in trust by the United States shall not be sold or encumbered unless authorized by the General Counsel

6. To engage in any business that will further the economic well being of QIN and of the members of the QIN, or undertake any program or projects designed for the economic advancement of the people of the Nation

7. To borrow money from the federal government or other sources, to direct the use of such funds for productive purposes, and to pledge or assign chattels or income due or to become due;

8. To levy and collect assessments upon members and of the QIN. To regulate all business activity within the Quinault Reservation boundaries and levy and collect taxes or license fees upon members and non-members doing business on the reservation, to the extent allowed by federal law to exclude from the territory of the Nation persons not legally entitled to reside thereon, or trespassers upon the reservation, under ordinances.

9. To provide for an escheat in order that real and personal property of members who die intestate and without heirs shall revert to the QIN;

10. To provide for the execution and enforcement of the laws of the QIN; and to establish an independent Tribal Court, and to provide by law for its jurisdiction, procedures and appointment or election of its judges; and to charter and regulate associations, schools, religious institutions, financial institutions and all other entities; and to establish National enterprises as branches of the Nation government;

11. To assert the defense of sovereign immunity in suites brought against the Nation and to waive the said defense by agreement where National reality or property not held in trust by the United States is pledged or when property held in trust by the United States is pledged or when property held in trust by the United States is pledged with the consent of the United States;

12. To manage, protect and preserve the natural resources of the QIN and to regulate hunting, fishing, including shellfishing, and trapping within the jurisdiction of the Nation;

13. To condemn land or interest in lands for public purposes within the boundaries of the Reservation; provided that owners of the lands shall be paid the fair market value of such lands and any timber or buildings thereon;

14. To enact all laws which shall be necessary and proper for carrying into execution any power delegated to the Business Committee or delegated to any person or committee under the supervision of the Business Committee;

15. To govern the inheritance of real and personal property owned by members;

16. To govern all people, resources, lands and waters under the jurisdiction of the QIN in accordance with the Quinault Constitution, the Quinault Tribal Code of Laws, the Quinault treaty, the laws of the Untied States expressly limiting the powers of the QIN, and the instructions of the General Council;

17. To enact laws for the welfare of the QIN; provided that such laws are not in conflict with the Quinault Constitution, and after public hearing.

The Bylaws assign particular duties to each officer of the Council

1. The President presides over the Quinault Business Committee and exercises all delegated authority. The President signs all official documents approved by the Business Committee or General Council. The President directs the implementation and enforcement of all laws passed by the Quinault Business Committee or General Council. The President represents the QIN in establishing, maintaining and furthering relationships with other governments.

2. The Vice-President assumes the duties of the President delegated by the President. The Vice-President Serves as Chief Executive Officer of the QIN in the absence of the president.

3. The Secretary keeps minutes and records of Council business at Business Committee and General Council meetings. Prepares agendas for all Business Committee and General Council meetings. Maintains custody of the tribal seal and is authorized to affix the seal to all official documents. Directs the publication of all notices required by law to be published.

4. The Treasurer accounts for all QIN funds and preserves records of such funds, makes reports in writing, and makes authorized disbursements. Oversees the financial affairs of the QIN and initiates audits.

5. Councilpersons make up the legislative body of the QIN.

C. Tribal Programs

1. The QIN has an extensive governmental organization and is currently administering numerous programs for the benefit of Tribal members and for residents of the Quinault Indian Reservation. A copy of the organizational chart for the QIN is attached as **Exhibit 4**, and made a part hereof for all purposes.

2. The Executive Director presides over the following departments: Natural Resources; Administration; Community Development; and Social, Health, and Education.

3. The principal Tribal department relative to this application is the Quinault Department of Natural Resources (QDNR). QDNR has approximately 72 employees operating programs in Indian Law as it relates to natural resources, Fisheries Harvest Management, Resource Management, Adult Assessment, and Marine Fisheries and Shellfish; Forestry Management; Environmental Protection; Timber/Fish/Wildlife; Air Quality; and Water Quality. A more complete discussion of this department is under "V. Tribal Capabilities," *infra.*

D. Tribal Law

Tribal law is established by resolutions, codes and ordinances enacted by the QBC. In addition to the Constitution and Bylaws, the following Ordinances and Resolutions are currently in effect:

Beach Lands Protection Code
Building Ordinance
Business Licensing and Tax Ordinance
Conservation Code
Criminal Code
Dangerous and Nuisance Buildings Code
Domestic Relations Code
Domestic Violence Code
Employment Preference Ordinance
Eviction Ordinance
Fishing Code and Regulations
Natural Resource Management Code and Regulations
Gaming Code
Guardianship Code
Housing Authority Ordinance
Hunting Code and Regulations
Indian Child Welfare/Dependency And Juvenile Offender Code
Involuntary Commitment Code
Judicial Codes
Court Rules
Liquor Code
Mortgage Foreclosure Code
Motor Vehicle Code
Probate Code
Repossession Regulation
Sewer Code
Sovereign Immunity Ordinance
Tobacco Ordinance
Utilities Ordinance
Vessel Registration Regulation
Zoning Ordinance

The QBC has adopted a tribal Personnel Policies and Procedures Manual to govern the rights of tribal employees and to explain operating procedures

The QBC has enacted numerous other resolutions not mentioned here but which currently govern and further delineate reservation activities.

E. The Tribal Court.

1. Quinault Tribal Court was established by Title 5 of the Quinault Tribal Code and interprets and enforces the Tribal Ordinances, laws, regulations and the Constitution. While the State of Washington exercises criminal and limited civil regulatory jurisdiction over non-Indians on the Reservation, the Tribal Court exercises criminal jurisdiction over all Indians within the Quinault Indian Reservation and has concurrent jurisdiction with the federal government for major crimes. The Court also has civil jurisdiction over non-Indians for activities on the Reservation that violate Tribal civil ordinances and regulations effecting the political integrity, the economic security, health, safety and welfare of QIN. United States vs. Montana, 450 U.S. 544 (1981); Cardin v. De La Cruz, 671 F.2d 363 (9th Cir.) Cert. Denied 459 U.S. 967, (1982). Approximately 78% of the Quinault Reservation lands are owed by the QIN or by Indians and most of that land is trust property. (See additional discussion under IV.C., *infra*.) The Tribal Court's criminal and civil authority over Reservation affairs--both adjudicatory and regulatory--is set forth in the several ordinances and codes mentioned above.

2. The Quinault Tribal Court is staffed by a Chief Judge and Associate Judge both of whom are Native Americans. There are three tribal attorneys who are members of the Washington Bar and a prosecutor and public defender who are also members of the Washington bar. There is a Clerk of the court and staff assistants. This Court has the power to enjoin activities on the Reservation that impair water and air quality and that threaten the Reservation's natural resources and wildlife.

F. Law Enforcement Services

Currently, the Quinault Tribal Police Department is under the supervision of a Chief of Police and is comprised of seven patrol officers, four fisheries enforcement officers, two forestry trespass officers, one game warden, four corrections officers (not commissioned), and one corrections/animal control officer (not commissioned), and staff. Each police officer in the QIN Tribal Police Department has been certified by the Washington State Criminal Justice Training Commission. The Tribal Police Department is operated by the QIN under a Self-Governance Compact (BIA Contract No. GTP06T11701) with the Bureau of Indian Affairs. 25 USC Sec. 450(f).

The fisheries, forestry, and game officers enforce the Tribal Fishing and Wildlife Codes.

G. Emergency Response

In addition to the QIN law enforcement officers in the Police Department, the Nation also has a Fire Department charged with responding to fires and to hazardous materials events. The Fire Chief is part of the Hazmat Team, along with Utilities personnel.

H. Cooperative Management

The Nation, as a member of their Sanctuary Advisory Group, is consulting with the Olympic Coast National Marine Sanctuary (NOAA) to address areas of mutual concern, such as potential oil spills, and scientific investigations along the Reservation's coastal boundary. The Nation is a member of the Sanctuary Advisory Council. The Nation conducts several off-Reservation programs with Washington State Department of Natural Resources (DNR), WDFW, and with timber landowners, such as Rayonier Timberlands, Simpson, and Weyerhaeuser Timber Companies; e.g., restoration of blocked fish passages, watershed analysis, Habitat Conservation Plans, and Landowner Landscape Plans. It works with Washington's Department of Ecology on developing tribal input to the State CWA §303(d) list of impaired water bodies. The Nation is currently developing its own program for water quality.

IV. LAND AND WATER RESOURCES OVER WHICH THE QUINAULT INDIAN NATION ASSERTS REGULATORY JURISDICTION

This section of the application of the Quinault Indian Nation to the Environmental Protection Agency for treatment as a state under the Clean Water Act, as amended, has been reviewed by:

Eric Nielsen, Reservation Attorney
P.O. Box 189
Taholah, Washington 98587

I hereby certify that the legal analysis of the matters contained herein are accurate to the best of my knowledge. Further, the assertions as to the regulatory jurisdiction of the Quinault Indian Nation with regard to land and water resources described below are supported by the legal authorities cited herein and as such, meet the requirements of 33 U.S.C. § 518 (e) (2).

Eric Nielsen, Reservation Attorney — 1-24-2000 Date

The management and protection of all tribal resources is a primary concern of the QIN. The Nation's authority to regulate its own natural resources is firmly established as a matter of federal and tribal law, as discussed below under Regulatory Jurisdiction in IV.C. Therefore, it is important to clearly set out the land base and water resources of the Nation.

A. Tribal Land Base.

The Quinault Indian Reservation was originally set aside by the Treaty of Olympia of 1855, (12 STAT. 97; II Kappler 719). The size of the reservation is 207,000 acres. It is located on the Pacific Coast of the Olympic Peninsula in Jefferson and Grays Harbor Counties, Washington. It includes the lowest portion of the Queets River and a major part of one of its tributaries, the Salmon River; Lake Quinault and the Quinault River from the Lake to the Pacific Ocean; Raft River; portions of the Moclips River; numerous small coastal streams (e.g., Whale Creek, Wreck Creek, etc.); and wetlands. A map of the Quinault Indian Reservation is attached as **Exhibit 5**, and made a part hereof for all purposes.

B. Tribal Water Rights

1. Reservation Water Bodies. The Quinault River flows through the Reservation, and is a major source of economic and cultural well being for the Quinault People. This river has viable stocks of wild salmon and trout. The Quinault River's ground water provides drinking water for Taholah, and the Queets River Basin's ground water provides drinking water for the village of Queets. Lake Quinault and Salmon River supply water for the QIN two hatcheries, plus a Penned Rearing facility at the Lake. The estuaries of these rivers are home to outmigrating smolt, returning adult anadromous fish, and several other species of fish and shellfish, as is the Pacific Coast and offshore waters. It is recognized that Washington tribes enjoy first and earliest priority to all of the waters that arise on, border, traverse, underlie or are encompassed with the reservation as well as "Winters" rights (see #3, *infra*).

2. As tribal reserved water rights are based on federal law, they are not subject to state regulatory jurisdiction. (See also Moore v. United States, supra.) These rights can be

exercised by the Nation through its authority without any state permit or other form of authorization issued by a state or its subdivision.

3. 25 U.S.C. §415(a) provides for the lease of tribal and allotted Indian lands for business and other purposes and specifically authorizes leases to develop or utilize natural resources in connection with operations under these leases. These facts alone demonstrate the Tribe's overriding interest in regulation the waters within its exterior boundaries.

4. The Reservation also includes large wetlands and creeks. (See Reservation Map **Exhibit 5.**)

5. The Tribe's water rights are also founded on the Winters doctrine, named after the landmark decision in the United States Supreme Court; Winters v. United States, 207 U.S. 564 (1908). In Winters, a Montana tribe sought to restrain the United States from building a dam on the Milk River, as it would reduce the availability of water for irrigation of Reservation lands. The dam would be off-Reservation. The Court held that the establishment of an Indian reservation carries with it the right of sufficient water to fulfill the reservation's purposes. Progeny of this case have extended it to include the right to instream flows to satisfy the Tribe's treaty fishing rights. See, e.g., United States v. Adair, 478 F. Supp. 336, 345 (D. Or. 1979); aff'd 723 F.2d 1394 (9th Cir. 1984) cert. den. sub nom.; Oregon v. United States, 467 U.S. 1252 (1984); Colville Confederated Tribes v. Walton, 460 F. Supp. 1320, 1330 (E.D. Wash. 1978), aff'd, 647 F.2d 42 (9th Cir. 1980), cert. den., 454 U.S. 1092 (1981); enforced, Colville Confederated Tribes v. Walton, 752 F.2d 397 (9th Cir. 1984); Kittitas Reclamation District v. Sunnyside Valley Irrigation District, 763 Fl.2d 1032 (9th Cir. 1985), cert. den., 474 U.S. 1032 (1985); Muckelshoot Indian Tribe v. Trans-Canada Enterprises, Ltd., 713 F.2d 455 (9th Cir. 1983), cert. den., 465 US. 1049 (1984); Joint Board of Control of the Flathead, Mission & Jocko Irrigation District of United States, 832 F.2d 1127 (9th Cir. 1987).

6. The authority of tribes to regulate the use of the Winters waters is well established. Colville Confederated Tribe v. Walton, 647 F.2d. 42 (9th Cir. 1981), *cert. den.*, 454 U.S. 1092 (1981); United States v. Anderson, 763 F.2d 1358 (9th Cir. 1984). Winters rights have priority dating to the time the treaties were signed (July 1, 1855, for the Quinault). Treaty-reserved rights to fish may also carry an implied right to water necessary to protect the fishery resource. Unlike Winters rights, implied rights to the water necessary to protect the fishery resource have a priority date of time immemorial. United States v. Adair, 723 F2d 1394 (U.S. Ct. App. 9th Cir. 1983).

7. To date, the Winters rights of the Nation have not been quantified. The State of Washington recognizes tribal reserved rights and that they have not yet been quantified.

8. The Quinault Indian Nation's treaty rights to fish, provide adequate water for their habitat (protection from environmental degradation) and to regulate its fishery without involvement by the State, have been judicially recognized in United States v. Washington, 384 F.Supp. 312 (U.S. Dist. Ct.--W. D. Wash. 1974); *aff'd.* 520 F.2d 676 (U.S. Ct. App.--9th Cir. 1975), *cert. den.* 423 U.S. 1086, 96 S.Ct. 877, 47 L.Ed. 2d 97 (1976), and in its more recent progeny; e.g., United States v. Washington-- Phase II, 506 F.Supp. 187 (U.S. Dist. Ct., W. Dist. Wash.--1980).

9. The QIN is in the process of developing Water Quality Standards that will support water quality regulations. The promulgation of these regulations will involve input from

several departments, primarily Natural Resources, but also Social, Health, and Education, and Community Development. A first draft of the Standards should be ready for review and comment by the department heads and tribal attorneys during the coming fiscal year. The draft Standards would then be submitted for public comment, in the next twelve months.

C. Regulatory Jurisdiction

1. Under federal law, the jurisdiction of the Quinault Tribal Court extends to the activity of Tribal members and non-Indians within the Reservation boundaries. Indian tribes retain "attributes of sovereignty over both their members and their territory..." United States v. Mazurie, 419 U.S. 544, 577 (1975). While the federal courts have in some cases found divestiture of a tribe's jurisdiction over non-Indian activity within reservation boundaries, none of these limitations significantly affect the authority of the QIN on the Quinault Indian Reservation.

2. The limitations on Tribal civil jurisdiction over non-Indians have generally focused on non-Indian activity on fee lands owned by non-Indians. Even those activities, however, should not limit the Nation's authority to regulate water quality. In United States vs. Montana, 450 U.S. 544 (1981), the Supreme Court held (at 566) that a tribe retains civil jurisdiction over parties that have "consensual relations with the tribe" or where there is a showing that the "conduct threatens or has some direct effect on the political integrity, the economic security, or the health and welfare of the tribe." Regulation of water quality of streams or other water bodies within the Quinault Indian Reservation, especially those waters the Nation owns, like Lake Quinault, or where the Nation possesses exclusive fishing rights, like the Quinault, Queets, Raft and Salmon Rivers, would certainly come within this standard, as explained below.

3. The most important bodies of water on the reservation are the Quinault River, Queets River, Raft River, Moclips River, Lake Quinault, and numerous coastal streams connecting directly with the Pacific Ocean. The Nation depends on its fisheries for subsistence and commerce. Anadromous fish enter by way of these rivers and their estuaries.

4. It has been established that the Nation has exclusive jurisdiction over the waters and the bed of the Quinault River and Lake Quinault, and other waters flowing within the external boundaries of the Reservation, and of the ocean tide lands, where they border the Reservation. Washington State Attorney General's Opinion, at 783, 787-788, (1927-1928) (Quinault Indian Nation has jurisdiction over the navigable waters and beds on the Quinault Indian Reservation). The Nation's exclusive on-Reservation fishing rights can be impaired by pollutants entering the Reservation's river and lake systems; activities affecting water quality occur on fee lands within the Reservation boundary—activities that can affect tribal economics, health and welfare, so the Nation would logically have authority to regulate such activities, insofar as they impact water quality. See, Snow v. Quinault Indian Nation , 709 F.2d 1319, (9th Cir. 1983) (Quinault Tribe has authority to tax non-Indian businesses located on Quinault Reservation); Cardin v. De La Cruz, 671 F.2d 363 (9th Cir.) Cert. Denied 459 U.S. 967, 103 S.Ct. 293, 74 L.Ed.2d 277 (982) (Quinault Tribe's health, safety and building codes apply to non-Indian fee landowner).

5. The Supreme Court's decision in Brendale v. Confederated Tribes and Bands of the Yakima Indian Nation, et al., 492 U.S. 408 (1989) is not dispositive of the authority or

jurisdiction of the Tribal Court in any manner relevant to this application. Brendale was a zoning case regarding the rights of the Yakama Indian Nation to exercise zoning authority over fee land. Justice White's opinion, which took the narrowest view of tribal authority, expressly distinguished the Brendale circumstances from those situations where Congress has expressly delegated regulatory authority to a tribe, as in the Clean Water Act. The Quinault Tribal Court, even after Brendale, has jurisdiction over non-Indian activity on fee lands allegedly in violation of delegated programs under the Clean Water Act, because tribes have been authorized to exercise such authority by Congress under this Act.

6. As noted in the previous section of this application, the QIN Tribal Court is empowered under tribal law to enjoin activities on the Reservation that impair water and air quality that threaten the Reservation's natural resources and wildlife. In addition, to meet the EPA requirement regarding tribal enforcement mechanisms to stop pollution sources that present an imminent and substantial endangerment to human health or welfare, The Business Committee has adopted a resolution authorizing the President of the Nation to file an action in Tribal Court to halt the discharge of pollutants. (See **Exhibit 6**, attached)

V. TRIBAL CAPABILITY

A. Tribal Experience in Administration of Water Quality Projects

The QIN is fully capable of functioning in a way consistent with Clean Water Act provisions and the regulations promulgated thereunder. It has considerable experience in performing water quality activities under grants and contracts with federal and state agencies, including five years of water quality baseline monitoring of treaty-land fresh waters (USEPA funding), groundwater protection grants funded by the BIA and the Washington Department of Ecology, and a Wetlands Grant with the EPA. These grants will be useful in the future, when the Nation develops regulations and guidelines for protection of Reservation waters. Other grants with BIA pertain to stream restoration and watershed analysis. A watershed analysis was completed for the Quinault River Basin and a second one is under way on the Salmon River watershed. The Quinault Watershed Analysis identifies pollutants (including temperature, D.O., and sediments) that impact salmonid habitat. Other water quality monitoring indicates similar problems in most waters of the Reservation. Watershed analyses as well as monitoring are leading to recommendations under Federal Guidelines for implementing Best Management Practices in the forestlands of the Reservation. The Nation is currently drafting an Environmental Assessment for a ten-year Forest Management Plan on the Quinault Reservation. This Environmental Assessment and Forest Management Plan will incorporate the science-based recommendations referred to above.

B. Capability of Taking on CWA §106 Responsibilities

The prior and ongoing grants and staffing regarding water quality issues form a solid basis for the Nation's development of an Environmental Assessment and Management Plan (for eligibility for §319 funding), which will be the subject of a CWA §106 funding application. The person assigned to head up this task will be our Environmental Protection Manager, who is an aquatic biologist and former Water Resources manager. He has worked in the environmental arena for tribal environmental programs for eight and one half years on technical projects, and has formulated recommendations for Tribal policy persons during that period. His work plan does not include the specific development of an Environmental Assessment and Management Plan for Section 106 funding. He contributes services out of the QIN-BIA Self-Governance Compact funds. EPA funds for 106 would be used for equipment, supplies, GIS services, and stream gaging recording and reporting contracts.

The extensive work involved in canvassing data and integrating it to develop an Environmental Assessment and Management Plan will require some staffing and some software purchases (e.g., Rockware to integrate well data). Maps will need to be purchased, as well. We anticipate the need for part-time technical support to gather data from various sources (tribal, state, and federal) and to enter this into computer programs. Some GIS services and other software may also be required. The QIN currently has comprehensive GIS capability, with two full-time, permanent staff members dedicated to this service. Assumption of Section 106 responsibilities will support the goal of clearly delineating non-point pollution sources and to evolve a plan for reducing and/or removing such sources.

C. Financial and Administrative Capabilities

The QIN's administrative and financial capability to handle federal grants and contacts is sufficient to manage EPA funds under the Clean Water Act. The Tribe's accounting and

procurement systems meet federal grant requirements, as set forth in previous EPA applications for Region 10 See copy of the most recent audit report attached as **Exhibit 7**. The Tribe currently has four EPA grants: GAP, Air Quality, Watershed Analysis and Management, and Wetlands Protection.

The day-to-day operations of the QIN are conducted by the Tribal Operations Director, under the supervision of the Executive Director, Pearl Capoeman-Baller. The Nation's Grants and Contracts Officer is Wilma Hudson, and its Chief Financial Officer is Lynda Jolly. The finances are audited annually by the firm of Moss-Adams of Bellingham, Washington. These annual audits have demonstrated the financial and administrative capability of the Tribe to comply with and manage the grants and contracts that the QIN receives from various agencies. A summary of the Tribe's Procurement Procedures is attached as **Exhibit 8.**

Qualification of Key Staff:

The Department of Natural Resources will implement EPA grants regarding treatment as a state. Its Director is Bruce Jones. Mr. Jones heads a department with three divisions combining expertise in several scientific disciplines including Forestry, Fisheries, water resources, hydrology, wildlife management, Timber/Fish and Wildlife, and an Air Quality program. Other key staff that will be charged with responsibilities under QIN section 106 program operations include:

Environmental Protection Division Manager: BS in Fisheries; MS in Biology; four years as Water Resources Manager; two and one half years as EP Division Manager, supervising forest practices regulation and enforcement, water quality, air quality, wildlife and ESA programs, including bald eagles, bull trout, Northern Spotted Owl and marbled murrelet.

Senior Biologist: BS in Fisheries; twelve years as a fish habitat biologist with the QIN; participant in the Forestry Module and Forests and Fish (WA State) negotiations. Supervises all technical managers in the EP Division.

Water Resources Section Manager: Ph.D. in Civil Engineering/Water Resources; two and one half years as Water Resources Manager.

Water Quality Technician: One and one half years as Water Quality Technician; graduate of BIA six-week school for tribal water quality technicians.

GIS Staff: the Principle GIS Analyst for the Nation has worked for the QDNR Forestry Division since 1997. He holds a Bachelor of Science in Biology from the University of Illinois (1982) and a Certificate in Geo-Information Systems from Green River Community College (1996) He has provided services as the lead GIS analyst for the QIN Salmon River water project. He also provided GIS services to the Puyallup Tribe and to the Swedish Medical Center in Seattle while completing his studies at Green River in 1992.

VI. REQUEST FOR APPROVAL

Based upon the foregoing, the QIN respectfully requests that the Environmental Protection Agency approve this application for treatment as a state pursuant to Section 518 of the Clean Water Act, 33 U.S.C. § 1377, as amended by the Water Quality Act of 1987 (P.L. 100-4, February 4, 1987).

Respectfully submitted,

Pearl Capoeman-Baller
President

RESOLUTION NO. 00 - 141- 77
of the
QUINAULT BUSINESS COMMITTEE

WHEREAS, the Quinault Business Committee is the recognized governing body of the Quinault Indian Nation under the authority of the Quinault Indian Nation's Constitution adopted on March 22, 1975, during a General Council Meeting, and

WHEREAS, the Quinault Indian Nation desires to improve and enhance the economic and social well-being of its people through improved water quality, and

WHEREAS, the Quinault Indian Nation has an opportunity to receive funds for the purpose of carrying out Tribal Water Quality programs and studies to evaluate and improve water quality on the Quinault Reservation, now,

THEREFORE BE IT RESOLVED, that the Quinault Business Committee will submit an application for federal assistance from the Environmental Protection Agency under Section 106, Clean Water Act, for the sum of $60,000.00. A five per cent match will be provided by the Quinault Indian Nation.

Pearl Capoeman Baller
Pearl Capoeman-Baller, President
Quinault Business Committee

CERTIFICATION

As Secretary of the Quinault Business Committee I certify that the foregoing Resolution was adopted at a regular meeting of the Quinault Business Committee at Taholah, Washington, on the

1st day of February, 2000, by a vote of 6 FOR and 0 AGAINST.

Margie Valdillez
Margie Valdillez, Secretary
Quinault Business Committee

QUINAULT BUSINESS COMMITTEE
SIGN OFF SHEET
FOR
RESOLUTION NO. 00 - 141 - 77

Pearl Capoeman-Baller, President

Edward Johnstone, Jr. 3rd Councilman

David E. Martin, Vice-President

Guy Capoeman, 4th Councilman

Marjorie Valdillez, Secretary

Hannah Martin, 5th Councilwoman

Virginia Brings Yellow, Treasurer

Natalie Charley, 6th Councilwoman

Joseph Davis, 1st Councilman

Harold Charles, Jr., 7th Councilman

Lawrence Hall Jr., 2nd Councilman

February 1, 2000
Date (Day, Month, Year)

implementing the procedural provisions of the National Environmental Policy Act (40 CFR 1501.7 and 1508.22).

DATES: Oral and written comments will be accepted at public meetings to be held on January 28, 1999, 3:00 p.m. to 5:00 p.m. and 7:00 p.m. to 9:00 p.m. Written comments should be received on or before February 1, 1999.

ADDRESSES: The meetings will be held at the Mojave Desert Air Quality Management District Office, Board Chambers (2nd floor), 15428 Civic Drive, Victorville, California. Comments should be addressed to Diane Noda, Field Supervisor, Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003. Written comments may be sent by facsimile to (805) 644-3958.

FOR FURTHER INFORMATION CONTACT: Denise Washick, Fish and Wildlife Biologist, at the above address (telephone 805-644-1766).

SUPPLEMENTARY INFORMATION:

Project Description

The High Desert Power Plant Project is located on a 25-acre parcel in the northeast corner of the Southern California International Airport, formerly part of George Air Force Base, in the City of Victorville, San Bernardino County, California. The project site is bordered by Perimeter Road on the east, Southern California International Airport taxiways to the west, abandoned bunkers adjacent to Phantom Street on the south, and existing evaporation ponds on the north. The project site is located in Section 24, Township 6 North, Range 5 West. The site has been previously graded and leveled.

The High Desert Power Project, Limited Liability Company (lead project proponent), and others propose to construct and operate a 680- to 830-megawatt natural gas-fueled electricity generation power plant on a 25-acre site located in the northeast corner of the Southern California International Airport. In addition to the power plant, an additional 24 acres, which is currently graded, will be used as a staging area. The project includes the construction of 7 water extraction wells within the Mojave River watershed. The linear facilities associated with the project include a 7-mile electrical transmission line; a 3.5-mile natural gas pipeline; and construction of 2 water pipelines with pipeline #1 measuring 2.5 miles and pipeline #2 measuring 6.5 miles. These linear facilities are all to be constructed within private lands.

As part of the project, the High Desert Power Project, Limited Liability Company, proposes to prepare a habitat conservation plan to be submitted to the Fish and Wildlife Service as part of an application for an Endangered Species Act incidental take permit for the desert tortoise, Mohave ground squirrel, and burrowing owl. The latter two species would be listed on the permit with a delayed effective date. Should these species be listed under the Federal Endangered Species Act in the future, the permit for incidental take would become effective concurrent with their listing.

Construction of a 32-mile natural gas pipeline through Federal lands designated as desert tortoise critical habitat and managed by the Bureau of Land Management are also part of the High Desert Power Plant Project. The Bureau proposes to issue a right-of-way permit under the Federal Land Policy and Management Act to Southwest Gas Corporation for the construction and maintenance of this pipeline.

Supplemental Reports

The High Desert Power Project, Limited Liability Company, has prepared several reports required by the California Energy Commission, including an Application for Certification. The Commission is serving as the lead licensing and environmental review agency in accordance with the California Environmental Quality Act. The Commission required preparation of a Draft Biological Resources Mitigation Implementation Plan and a Draft Erosion Control and Revegetation Plan for the High Desert Power Plant Project. These plans have been prepared for the project site and all linear facilities including the 32-mile natural gas pipeline which is also being permitted as part of the High Desert Power Plant Project. Copies of the reports may be requested by contacting Ms. Amy Cuellar at Resource Management International, Inc., 3100 Zinfandel Drive, Suite 600, P.O. Box 15516, Sacramento, California 95670-1516, or calling (916)-852-1300. Copies may also be reviewed at the following libraries:

California Energy Commission, Energy Library, 1516 Ninth Street, Sacramento, California 95814; California State Library, Government Publication Section, 914 Capitol Mall, Room 400, Sacramento, California 95814; Fresno County Library, Central Headquarters, 2420 Mariposa Street, Fresno, California 93721; Humboldt Library, 421 "I" Street, Eureka, California 95501; Norman Feldheym Central Library, 555 West Sixth Street, San Bernardino, California 92415; San Bernardino County Library, Adelanto Branch, 11744 Bartlett Avenue, Adelanto, California 92301; San Bernardino County Library, Victorville Branch, 15011 Circle Drive, Victorville, California 92392; San Diego Public Library, 920 E Street, San Diego, California 92101; San Francisco Public Library, Civic Center, San Francisco, California 94102; UCLA, University Research Library, Public Affairs Service, 405 Hilgard Avenue, Los Angeles, California 90024; California Depository Specialist, Acquisitions—Green Library, Stanford University, Stanford, California 94305-6004.

Dated: December 15, 1998.

Elizabeth Stevens,

Acting Manager, California/Nevada Operations Office, Fish and Wildlife Service.

Dated: December 14, 1998.

Tim Read,

Field Manager, Bureau of Land Management, Barstow Field Office.

[FR Doc. 98-34371 Filed 12-29-98; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs

AGENCY: Bureau of Indian Affairs.

ACTION: Notice.

SUMMARY: Notice is hereby given of the current list of tribal entities recognized and eligible for funding and services from the Bureau of Indian Affairs by virtue of their status as Indian tribes. This notice is published pursuant to Section 104 of the Act of November 2, 1994 (Pub. L. 103-454; 108 Stat. 4791, 4792).

FOR FURTHER INFORMATION CONTACT: Daisy West, Bureau of Indian Affairs, Division of Tribal Government Services, MS-4631-MIB, 1849 C Street, NW, Washington, D.C. 20240. Telephone number: (202) 208-2475.

SUPPLEMENTARY INFORMATION: This notice is published in exercise of authority delegated to the Assistant Secretary—Indian Affairs under 25 U.S.C. 2 and 9 and 209 DM 8.

Published below are lists of federally acknowledged tribes in the contiguous 48 states and in Alaska. The list is updated from the last such list published in October 23, 1997 (62 FR 55270), to include name changes or corrections. There have been no new tribal entities added to the list. The listed entities are acknowledged to have the immunities and privileges available

to other federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, powers, limitations and obligations of such tribes. We have continued the practice of listing the Alaska Native entities separately solely for the purpose of facilitating identification of them and reference to them given the large number of complex Native names.

Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible To Recieve Services From the United States Bureau of Indian Affairs

Absentee-Shawnee Tribe of Indians of Oklahoma
Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California
Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona
Alabama-Coushatta Tribes of Texas
Alabama-Quassarte Tribal Town, Oklahoma
Alturas Indian Rancheria, California
Apache Tribe of Oklahoma
Arapahoe Tribe of the Wind River Reservation, Wyoming
Aroostook Band of Micmac Indians of Maine
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana
Augustine Band of Cahuilla Mission Indians of the Augustine Reservation, California
Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin
Bay Mills Indian Community of the Sault Ste. Marie Band of Chippewa Indians, Bay Mills Reservation, Michigan
Bear River Band of the Rohnerville Rancheria, California
Berry Creek Rancheria of Maidu Indians of California
Big Lagoon Rancheria, California
Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California
Big Sandy Rancheria of Mono Indians of California
Big Valley Rancheria of Pomo & Pit River Indians of California
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
Blue Lake Rancheria, California
Bridgeport Paiute Indian Colony of California
Buena Vista Rancheria of Me-Wuk Indians of California
Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon
Cabazon Band of Cahuilla Mission Indians of the Cabazon Reservation, California
Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California
Caddo Indian Tribe of Oklahoma
Cahuilla Band of Mission Indians of the Cahuilla Reservation, California
Cahto Indian Tribe of the Laytonville Rancheria, California
Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California
Capitan Grande Band of Diegueno Mission Indians of California:
  Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California
  Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California
Catawba Indian Nation (aka Catawba Tribe of South Carolina)
Cayuga Nation of New York
Cedarville Rancheria, California
Chemehuevi Indian Tribe of the Chemehuevi Reservation, California
Cher-Ae Heights Indian Community of the Trinidad Rancheria, California
Cherokee Nation of Oklahoma
Cheyenne-Arapaho Tribes of Oklahoma
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
Chickasaw Nation, Oklahoma
Chicken Ranch Rancheria of Me-Wuk Indians of California
Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana
Chitimacha Tribe of Louisiana
Choctaw Nation of Oklahoma
Citizen Potawatomi Nation, Oklahoma
Cloverdale Rancheria of Pomo Indians of California
Cocopah Tribe of Arizona
Coeur D'Alene Tribe of the Coeur D'Alene Reservation, Idaho
Cold Springs Rancheria of Mono Indians of California
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California
Comanche Indian Tribe, Oklahoma
Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana
Confederated Tribes of the Chehalis Reservation, Washington
Confederated Tribes of the Colville Reservation, Washington
Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon
Confederated Tribes of the Goshute Reservation, Nevada and Utah
Confederated Tribes of the Grand Ronde Community of Oregon
Confederated Tribes of the Siletz Reservation, Oregon
Confederated Tribes of the Umatilla Reservation, Oregon
Confederated Tribes of the Warm Springs Reservation of Oregon
Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, Washington
Coquille Tribe of Oregon
Cortina Indian Rancheria of Wintun Indians of California
Coushatta Tribe of Louisiana
Cow Creek Band of Umpqua Indians of Oregon
Coyote Valley Band of Pomo Indians of California
Crow Tribe of Montana
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation, California
Death Valley Timbi-Sha Shoshone Band of California
Delaware Tribe of Indians, Oklahoma
Delaware Tribe of Western Oklahoma
Dry Creek Rancheria of Pomo Indians of California
Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
Eastern Band of Cherokee Indians of North Carolina
Eastern Shawnee Tribe of Oklahoma
Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California
Elk Valley Rancheria, California
Ely Shoshone Tribe of Nevada
Enterprise Rancheria of Maidu Indians of California
Flandreau Santee Sioux Tribe of South Dakota
Forest County Potawatomi Community of Wisconsin Potawatomi Indians, Wisconsin
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Fort Bidwell Indian Community of the Fort Bidwell Reservation of California
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon
Fort McDowell Mohave-Apache Community of the Fort McDowell Indian Reservation, Arizona
Fort Mojave Indian Tribe of Arizona, California & Nevada
Fort Sill Apache Tribe of Oklahoma
Gila River Indian Community of the Gila River Indian Reservation, Arizona
Grand Traverse Band of Ottawa & Chippewa Indians of Michigan
Greenville Rancheria of Maidu Indians of California
Grindstone Indian Rancheria of Wintun-Wailaki Indians of California

Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota
Pueblo of Acoma, New Mexico
Pueblo of Cochiti, New Mexico
Pueblo of Jemez, New Mexico
Pueblo of Isleta, New Mexico
Pueblo of Laguna, New Mexico
Pueblo of Nambe, New Mexico
Pueblo of Picuris, New Mexico
Pueblo of Pojoaque, New Mexico
Pueblo of San Felipe, New Mexico
Pueblo of San Juan, New Mexico
Pueblo of San Ildefonso, New Mexico
Pueblo of Sandia, New Mexico
Pueblo of Santa Ana, New Mexico
Pueblo of Santa Clara, New Mexico
Pueblo of Santo Domingo, New Mexico
Pueblo of Taos, New Mexico
Pueblo of Tesuque, New Mexico
Pueblo of Zia, New Mexico
Puyallup Tribe of the Puyallup Reservation, Washington
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
Quapaw Tribe of Indians, Oklahoma
Quartz Valley Indian Community of the Quartz Valley Reservation of California
Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
Quileute Tribe of the Quileute Reservation, Washington
Quinault Tribe of the Quinault Reservation, Washington
Ramona Band or Village of Cahuilla Mission Indians of California
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Red Lake Band of Chippewa Indians of the Red Lake Reservation, Minnesota
Redding Rancheria, California
Redwood Valley Rancheria of Pomo Indians of California
Reno-Sparks Indian Colony, Nevada
Resighini Rancheria, California (formerly known as the Coast Indian Community of Yurok Indians of the Resighini Rancheria)
Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California
Robinson Rancheria of Pomo Indians of California
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Round Valley Indian Tribes of the Round Valley Reservation, California (formerly known as the Covelo Indian Community)
Rumsey Indian Rancheria of Wintun Indians of California
Sac & Fox Tribe of the Mississippi in Iowa
Sac & Fox Nation of Missouri in Kansas and Nebraska
Sac & Fox Nation, Oklahoma
Saginaw Chippewa Indian Tribe of Michigan, Isabella Reservation
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona
Samish Indian Tribe, Washington
San Carlos Apache Tribe of the San Carlos Reservation, Arizona
San Juan Southern Paiute Tribe of Arizona
San Manual Band of Serrano Mission Indians of the San Manual Reservation, California
San Pasqual Band of Diegueno Mission Indians of California
Santa Rosa Indian Community of the Santa Rosa Rancheria, California
Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation, California
Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California
Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation, California
Santee Sioux Tribe of the Santee Reservation of Nebraska
Sauk-Suiattle Indian Tribe of Washington
Sault Ste. Marie Tribe of Chippewa Indians of Michigan
Scotts Valley Band of Pomo Indians of California
Seminole Nation of Oklahoma
Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations
Seneca Nation of New York
Seneca-Cayuga Tribe of Oklahoma
Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake)
Sheep Ranch Rancheria of Me-Wuk Indians of California
Sherwood Valley Rancheria of Pomo Indians of California
Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington
Shoshone Tribe of the Wind River Reservation, Wyoming
Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada
Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, South Dakota
Skokomish Indian Tribe of the Skokomish Reservation, Washington
Skull Valley Band of Goshute Indians of Utah
Smith River Rancheria, California
Soboba Band of Luiseno Mission Indians of the Soboba Reservation, California
Sokaogon Chippewa Community of the Mole Lake Band of Chippewa Indians, Wisconsin
Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
Spirit Lake Tribe, North Dakota (formerly known as the Devils Lake Sioux Tribe)
Spokane Tribe of the Spokane Reservation, Washington
Squaxin Island Tribe of the Squaxin Island Reservation, Washington
St. Croix Chippewa Indians of Wisconsin, St. Croix Reservation
St. Regis Band of Mohawk Indians of New York
Standing Rock Sioux Tribe of North & South Dakota
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Stillaguamish Tribe of Washington
Summit Lake Paiute Tribe of Nevada
Suquamish Indian Tribe of the Port Madison Reservation, Washington
Susanville Indian Rancheria, California
Swinomish Indians of the Swinomish Reservation, Washington
Sycuan Band of Diegueno Mission Indians of California
Table Bluff Reservation—Wiyot Tribe, California
Table Mountain Rancheria of California
Te-Moak Tribes of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band; Elko Band; South Fork Band and Wells Band)
Thlopthlocco Tribal Town, Oklahoma
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Tohono O'odham Nation of Arizona
Tonawanda Band of Seneca Indians of New York
Tonkawa Tribe of Indians of Oklahoma
Tonto Apache Tribe of Arizona
Torres-Martinez Band of Cahuilla Mission Indians of California
Tule River Indian Tribe of the Tule River Reservation, California
Tulalip Tribes of the Tulalip Reservation, Washington
Tunica-Biloxi Indian Tribe of Louisiana
Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California
Turtle Mountain Band of Chippewa Indians of North Dakota
Tuscarora Nation of New York
Twenty-Nine Palms Band of Luiseno Mission Indians of California
United Auburn Indian Community of the Auburn Rancheria of California
United Keetoowah Band of Cherokee Indians of Oklahoma
Upper Lake Band of Pomo Indians of Upper Lake Rancheria of California
Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota

Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota
Pueblo of Acoma, New Mexico
Pueblo of Cochiti, New Mexico
Pueblo of Jemez, New Mexico
Pueblo of Isleta, New Mexico
Pueblo of Laguna, New Mexico
Pueblo of Nambe, New Mexico
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Pueblo of Pojoaque, New Mexico
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Pueblo of San Juan, New Mexico
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Pueblo of Santa Ana, New Mexico
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Pueblo of Santo Domingo, New Mexico
Pueblo of Taos, New Mexico
Pueblo of Tesuque, New Mexico
Pueblo of Zia, New Mexico
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Quapaw Tribe of Indians of Oklahoma
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Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
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Quinault Tribe of the Quinault Reservation, Washington
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Sac & Fox Nation, Oklahoma
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Samish Indian Tribe, Washington
San Carlos Apache Tribe of the San Carlos Reservation, Arizona
San Juan Southern Paiute Tribe of Arizona
San Manual Band of Serrano Mission Indians of the San Manual Reservation, California
San Pasqual Band of Diegueno Mission Indians of California
Santa Rosa Indian Community of the Santa Rosa Rancheria, California
Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation, California
Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California
Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation, California
Santee Sioux Tribe of the Santee Reservation of Nebraska
Sauk-Suiattle Indian Tribe of Washington
Sault Ste. Marie Tribe of Chippewa Indians of Michigan
Scotts Valley Band of Pomo Indians of California
Seminole Nation of Oklahoma
Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations
Seneca Nation of New York
Seneca-Cayuga Tribe of Oklahoma
Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake)
Sherwood Valley Rancheria of Pomo Indians of California
Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington
Shoshone Tribe of the Wind River Reservation, Wyoming
Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada
Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, South Dakota
Skokomish Indian Tribe of the Skokomish Reservation, Washington
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Stockbridge-Munsee Community of Mohican Indians of Wisconsin
Stillaguamish Tribe of Washington
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Tulalip Tribes of the Tulalip Reservation, Washington
Tunica-Biloxi Indian Tribe of Louisiana
Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California
Turtle Mountain Band of Chippewa Indians of North Dakota
Tuscarora Nation of New York
Twenty-Nine Palms Band of Luiseno Mission Indians of California
United Auburn Indian Community of the Auburn Rancheria of California
United Keetoowah Band of Cherokee Indians of Oklahoma
Upper Lake Band of Pomo Indians of Upper Lake Rancheria of California
Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota

Quinault Indian Nation

PREAMBLE

We, the Indians of the Quinault Indian Nation, in order to establish a better tribal organization; to preserve our land base, culture and identity; to safeguard our interest and general welfare; to secure the blessings of freedom and liberty for ourselves and for our posterity; and to amend our By Laws of August 22, 1922, as amended, do hereby approve and adopt this Constitution.

ARTICLE I - SOVEREIGNTY

SECTION 1 - SOVEREIGNTY: Notwithstanding the issuance of any patent, the jurisdiction and governmental power of the Quinault Nation shall extend to: (a) all lands, resources, and waters reserved to the Quinault Nation pursuant to the Treaty of Olympia, 12 Stat. 971, established by Executive Order dated November 4, 1873 (I Kapp. 923) and to all persons acting within the boundaries of those reserved lands or waters; (b) all usual and accustomed fishing grounds, open and unclaimed lands reserved for hunting and gatherings and other lands necessary for the appropriate use of fishing and hunting grounds; and all members exercising tribal hunting, gathering and fishing rights on or off the Quinault Reservation in Quinaults usual and accustomed fishing grounds or: (c) all lands or waters held by the United States in trust or reserved by the Quinault Nation for the use and benefit of any member of the Quinault Tribe when such lands or waters are not within the boundaries of an established Indian Reservation; (d) all members of the Quinault Nation while such members are within the boundaries of the United States of America or any of its Reservations, states, territories, possessions, zones, or districts; except where such jurisdiction is expressly limited by the laws of the United States; (f) offshore marine waters for a distance concurrent with the jurisdiction of the United States.

SECTION 2 - GENERAL WELFARE: It shall be the goal of the Quinault Nation to provide for the general safety and welfare of all persons acting by the right of membership in the Quinault Nation or acting or residing within the jurisdiction of the Quinault Nation.

ARTICLE II - ENROLLMENT

SECTION 1 - MEMBER: (a) Any person of 1/4 Quinault, Queets, Quileute, Hoh, Chinook, Chehalis, or Cowlitz blood of one of the named Tribes or combined, not a member of any other federally recognized Indian tribe. (b) Any person adopted into the Nation by a majority vote of the General Council, at a regular annual meeting of that council. The ownership of trust land on the Quinault Reservation shall be an important consideration in recommending adoption, *but such* ownership shall not be considered a necessary or sufficient qualification or *condition for a* recommendation of adoption. Adoption procedures. (1) A person applying for adoption must appear

in person to the Quinault Enrollment Office to obtain the adoption application form and petition form. (2) A person applying for adoption must have their petition signed by 50 tribal enrolled members who have registered in the past two (2) Annual General Council Meetings. This petition will remain in the Enrollment Office (This is to make sure people who have signed the petition are enrolled members). (3) The Enrollment Committee shall request the Business Committee to prepare a ballot for each applicant who has met the criteria of 1 and 2 above to be presented to the Annual General Council Meeting. (4) The petition will be posted 30 days before the Annual General Meeting. (5) Applicant must be present at the Annual General Council Meeting with one enrolled member to speak on his/her behalf. Failure to attend the meeting shall nullify the current application/petition. (6) Adoptions will not be allowed from the floor without following the above procedures.

SECTION 2 - ENROLLMENT COMMITTEE: (a) Membership. The enrollment committee shall consist of not less than four (4), nor more than nine (9) members of the Quinault Nation, appointed by the Business Committee. (b) Duties. The enrollment committee shall: (1) accept applications for enrollment and adoption, (2) investigate all applications for enrollment and adoption, (3) approve all applications for enrollment where applicants qualify for membership in the Quinault Nation under the provisions of this Constitution. A list of all persons approved for enrollment during the interim between annual General Council meetings shall be published and posted publicly in places determined to be appropriate to inform the general membership of pending enrollment thirty (30) days prior to the next annual General Council meeting and presented by the enrollment committee to the General Council at the next annual General Council meeting, (4) recommend to the General Council for their vote, persons approved by the enrollment committed for adoption into the Quinault Nation; a list of such persons shall be posted with the pending enrollment list, (5) participate in the interviewing and hiring of an enrollment clerk, (6) issue an official notice of denial of enrollment to any person, who, after all due investigation by the enrollment committee is found not to be qualified for enrollment in the Quinault Nation, (7) issue an official notice of denial of recommendation to any person, who, after all due investigation by the enrollment committee is found not to be acceptable for a recommendation of adoption.

SECTION 3 - APPROVED APPLICANTS: All persons approved for enrollment by the enrollment committee shall be considered members for all purposes until their names are presented at an annual General Council meeting; provided, persons approved for enrollment shall not be permitted to vote on the enrollment or adoption of any person.

SECTION 4 - APPEALS: (a) Persons denied enrollment by a final act of the enrollment committee may appeal the decision of the enrollment committee to the General Council and if denied by the General Council may appeal to the Quinault Tribal Court. Persons denied enrollment may request a recommendation of adoption. (b) Persons denied a recommendation of adoption by a final act of the enrollment committee may request that the General Council adopt them at an annual meeting of the Council. The decision of the General Council shall be final.

SECTION 5 - OBJECTIONS TO ENROLLMENT: Any member may object to the enrollment of any person approved for enrollment at the time the name of that person approved for enrollment is presented to the General Council by the enrollment committee. The name of the member objecting shall be recorded and that objecting member shall have ninety (90) days to present sufficient evidence to cause reexamination of the enrollment application to the enrollment committee. During

that ninety (90) day period and during any disenrollment investigation, the person objected to shall exercise the rights of a member. If ninety (90) days shall pass without sufficient evidence being presented to the enrollment committee to cause the enrollment committee to reinvestigate the application, the person objected to shall be enrolled.

SECTION 6 - DISENROLLMENT: (a) The enrollment committee shall not begin review of the enrollment of a member without first notifying a person subject to a disenrollment investigation that he or she is subject to such an investigation and allowing such person to view all evidence being used to question member status. (b) the enrollment committee in a disenrollment investigation shall follow all procedures set out herein for enrollment, including presentation of the names of any finally disenrolled person to the General Council at the next annual meeting of that Council. (c) exclusive grounds for disenrollment shall be that a person submitted fraudulent evidence in the application for enrollment in the Quinault Nation in order to qualify under the provisions of this Constitution, (d) Persons finally disenrolled shall have the right to appeal their disenrollment to the Quinault Tribal Court.

SECTION 7 - DISENROLLMENT OF ADOPTED MEMBERS: Adopted members may be disenrolled by the General Council upon recommendation of the Business Committee pursuant to the procedure established in this section when it appears that their continued enrollment is not in the best interest of the Nation. (a) The Business Committee shall have exclusive authority to initiate disenrollment proceedings against an adopted member. (b) If the Business Committee after allowing an adopted member an opportunity to be heard finds that the continued enrollment of an adopted member is not in the best interest of the Nation it may recommend disenrollment to the General Council. (c) A Business Committee recommendation of disenrollment shall be placed on the published agenda of the next annual General Council meeting in action. (d) The decision of the General Council on the question of disenrollment of an adopted member shall be final and shall not be subject to judicial review.

ARTICLE III - GENERAL COUNCIL

SECTION 1 - MEMBERSHIP IN THE GENERAL COUNCIL: All members, including adopted members of the Quinault Nation shall be members of the General Council.

SECTION 2 - VOTING: Members of the General Council age 18 years or more, who are present at the appointed time and place of elections shall be permitted to vote in General Council meetings.

SECTION 3 - MEETINGS: (a) The annual meeting of the General Council shall be held on the last Saturday in March at a place within the boundaries of the Quinault Reservation. (b) All meetings of the General Council shall be announced by the Business Committee by posting notices at Taholah, Queets, Amanda Park and any other place determined by the Business Committee at least ten (10) days in advance of the meeting and by publishing notice in a newspaper of general circulation in the vicinity of the Reservation. (c) Special meetings may be called by the Business Committee or by fifty (50) voting members by giving and posting the required notice. (d) The purpose of the General

Council meetings shall be to elect or recall the members of the Business Committee and to declare the will of the General Council on issues placed before the General Council by the agenda and by persons raising issues at any meeting. (e) A quorum for conducting business at any meeting shall be fifty (50) voting members. (f) The agenda for the annual meeting shall be published by the Secretary of the Tribe. All items to be placed on the published agenda shall be submitted to the Secretary thirty (30) days in advance of the annual meeting. Items on the published agenda shall be considered before the general session. A general session agenda shall be established by the Secretary. The Secretary shall accept general session agenda items no sooner than thirty (30) days before the annual meeting nor no later than the lunch break of the day of the annual meeting. (g) In addition to the annual meeting, quarterly General Council meetings may be held.

SECTION 4 - BILL OF RESERVED POWERS: The following powers shall be reserved to the General Council and the Business Committee or other agency of the Nation shall be required to obtain the advice and consent of the General Council prior to taking any action with regard to these powers. Any action the Business Committee shall take with regard to these powers without obtaining the advice and consent of the General Council shall be void and have no legal effect. (a) The relinquishment of any National criminal or civil jurisdiction to any agency, public or private; provided, that this section shall not prevent the Business Committee from commissioning non-National or non-Bureau of Indian Affairs peace officers to enforce National laws and regulations. (b) The termination of the Quinault Reservation. (c) The adoption of persons into the Nation. (d) The sale of hunting or fishing rights, grounds or stations. (e) Any other act which jeopardizes any treaty right of the Quinault Nation; or is prohibited to the Business Committee by this Constitution, or by instruction of the General Council, without prior approval of the General Council.

ARTICLE IV - BUSINESS COMMITTEE

SECTION 1 - OFFICERS: The officers of the Nation shall consist of the President, the Vice-President, Secretary and Treasurer and seven (7) Councilmen. The said eleven (11) officers shall constitute the Business Committee of the Quinault Nation and all shall have the right to vote on issues brought before the Business Committee.

SECTION 2 - QUORUM: A quorum of the Business Committee shall consist of at least six (6) officers, including the President and Vice-President, and decisions shall be made by a majority vote of those present. In the absence of the President and Vice-President, no meeting shall be held unless an officer has been duly appointed by the President or the Vice-President to chair the meeting.

SECTION 3 - ELECTION: The officers shall be elected at the annual meeting of the General Council and shall serve three year staggered terms. Nominations shall be made from the floor. Election shall be by secret ballot. No absentee ballots shall be allowed. Officers shall be elected one at a time. When during the course of any General Council meeting, any presently serving officer shall be elected to fill any other position on the Business Committee, the position vacated by the election shall be immediately filled by electing another qualified person to the remainder of the term of the vacated position.

SECTION 4 - QUALIFICATIONS: Any enrolled member who maintains permanent residence within the Reservation boundaries, is present at the election, and is entitled to vote in the General Council, shall be eligible to be elected as an officer of the Nation, provided that no more than one brother, sister, father, mother, husband, wife or child of any person already serving as an officer may be elected as an officer. Officers moving their residence outside the boundaries of the Reservation during their term of office will be considered to have resigned from the Business Committee.

SECTION 5 - REMOVAL: (a) Any officer who is absent from three consecutive regular Business Committee meetings without an excuse acceptable to the Business Committee or who commits acts in violation of his position of trust as an officer of the Quinault Nation shall be removed from office. (b) Prior to removal pursuant to (a) above, the officer whose removal is contemplated shall be given a reasonable opportunity to answer charges and a written statement of the charges against him shall be made available to him fifteen (15) days prior to said meeting. (c) An officer who has been removed shall have the right within thirty (30) days to file an appeal to the General Council. In the event of such an appeal, the Business Committee shall promptly call a special meeting of the General Council, at which special meeting, it shall be decided whether the removed officer shall be permanently removed. Failure to obtain a quorum of the General Council at such a special meeting shall be considered affirmation of removal of any officer.

SECTION 6 - RECALL: Any officer may be removed for any reason by vote of the General Council on a recall petition, specifying the reasons for removal. A recall petition shall be signed by at least fifty (50) qualified voters, and filed with the Business Committee. Upon the filing of such a petition, the Business Committee shall promptly call a special meeting of the General Council. Written notice of the petition shall be given to the officer at least fifteen (15) days prior to the meeting, and he shall be entitled to state his case before the General Council. The decision of the General Council shall be final. Failure to obtain a quorum at such a General Council meeting shall require the dismissal of the recall petition and no new recall petition may be filed against the officer in question for a period of one year following said meeting.

SECTION 7 - VACANCIES: Vacancies on the Business Committee shall be filled no more than sixty (60) days following the occurrence of a vacancy by a 2/3 vote of a quorum of the remaining officers; provided, that such appointee is a voting member of the Nation and is otherwise qualified. The vacancy shall be filled by election at the next General Council meeting for the remainder of the existing term. No person not elected to the Business Committee by the General Council shall be appointed to the position of President or Vice-President.

SECTION 8 - MEETINGS: Regular open meetings of the Business Committee shall be held at least once in each month on a regular schedule set by the Business Committee. Special meetings may be called on a reasonable notice to all officers. Executive sessions of the Business Committee may be held on majority vote of the Committee. All regular meetings shall be held within the boundaries of the Quinault Reservation.

SECTION 9 - BY LAWS: The Business Committee shall by ordinance adopt its own procedures and duties of officers, except as herein provided.

ARTICLE V - POWER AND RESPONSIBILITIES OF THE BUSINESS COMMITTEE

SECTION 1 - GENERAL: It shall be the duty of the Business Committee to govern all people, resources, lands, and waters under the jurisdiction of or reserved to the Quinault Nation in accordance with this Constitution, the Quinault Tribal Code of laws, the Quinault Treaty, the laws of the United States expressly limiting the powers of the Quinault Nation, and the instructions of the General Council. Any rights, powers and authority expressed, implied, or inherent vested in the Nation but not expressly referred to in this Constitution shall not be abridged by this Article, but shall be exercised by the Business Committee or the General Council by the adoption of appropriate ordinances and agreements.

SECTION 2 - LAWS: The Business Committee shall have the power to enact laws for the welfare of the Nation; provided, however, that such laws are not in conflict with this Constitution, and that public hearings be held on each such law prior to their adoption.

SECTION 3 - POWERS: The Business Committee shall have the power: (a) To enter into agreements on behalf of the Nation with federal, state, and local governments or agencies, and other public and/or private organizations or persons; provided, that these agreements are not in conflict within this Constitution, the instructions of the General Council, or the laws of the Quinault Nation. (b) To provide for the execution and enforcement of the laws of the Quinault Nation; and to establish an independent Tribal Court, and to provide by law for its jurisdiction, procedures, and appointment or election of its judges; and to charter and regulate associations, corporations for profit and not for profit, towns, special districts, schools, religious institutions, financial institutions and all other entities; and to establish National enterprises as branches of the National government. (c) To levy and collect taxes on members and other persons or entities within the National jurisdiction; provided, that no tax shall be levied on trust real property; further provided that no tax shall be levied without holding public hearings convenient in time and place to all members of the Quinault Nation and those subject to its jurisdiction; to determine the need for, and effect of, such a tax. (d) To assert the defense of sovereign immunity in suits brought against the Nation and to waive the said defense by agreement where National realty or personalty not held in trust by the United States is pledged or when property held in trust by the United States is pledged with the consent of the United States. (e) To govern the sale, disposition, and lease of tribally owned assets, and to provide for the zoning and other land use regulation of all lands within the boundaries of the Reservation and the jurisdiction of the Quinault Nation; and for the purity, volume, and use of all water to which the Quinault Nation and the Quinault people are entitled; and for the purity of the air within the Quinault Reservation. (f) To manage, lease, permit, sell, or otherwise deal with tribally owned lands, tribally owned interests in lands, water rights, fishing stations, mineral rights, hunting grounds, fish and wildlife resources; or other tribally owned assets, and to purchase or otherwise acquire lands or interests in lands within or without the Reservation, and to hold those lands in tribal or federal trust and to regulate allotted trust and non-trust lands within the Reservation boundaries insofar as such regulation is not prohibited by federal law and does not violate the rights of owners; provided, that tribally owned lands held in trust by the United States shall not be sold or encumbered unless authorized by the General Council. The authority to manage National lands and timber may be delegated to a special committee or committees. (g) To engage in any business that will further the economic well being of the Nation and of the members of the Nation, or undertake any program or projects designed for the economic

advancement of the people or the Nation; and to regulate the conduct of all business activities with the Reservation boundaries. (h) To borrow money from the federal government or other sources, to direct the use of such funds of productive purposes, and to pledge or assign chattels or income due or to become due. (i) 1--To administer any funds within the control of the Nation in accordance with an approved National budget; to make expenditures from available funds for tribal purposes including salaries and expenses of tribal employees or officials, 2--The Business Committee shall prepare an annual Nation budget, 3--This budget shall include all normal operating expenses, any special projects or expenditures contemplated by the Nation, 4--All expenditures of tribal funds by the Business Committee shall be authorized by it or by the General Council in legal session and the amounts so expended shall be a matter of public record. 5--The Business Committee shall have authority to approve amendments to the Nation's annual budget for special appropriations in any budget year. 6--The approved budget shall be posted at the National Business Office in Taholah, Queets, and the Post Office in Taholah. (j) To provide for an escheat in order that real and personal property of members who die intestate and without heirs shall revert to the Nation. (k) To manage, protect and preserve the wildlife and natural resources of the Nation and to regulate hunting, fishing, including shellfishing, and trapping within the jurisdiction of the Nation. This power may be delegated to a special committee or committees. (l) On petition by fifty (50) voting members of the Nation or on its own motion, the Business Committee shall, within a reasonable time, hold a general membership election by secret ballot on any issue. (m) All officers and employees of the Nation who have possession of tribal funds shall account for same periodically to the Business Committee. All officers and employees handling National funds shall be bonded. There shall be an annual audit of the National funds handled by National officers or employees to be performed by the Bureau of Indian Affairs or Certified Public Accountants. (n) To condemn land or interest in lands for public purposes within the boundaries of the Reservation; provided that owners of the lands condemned shall be paid the fair market value of such lands and any timber or buildings thereon. (o) To exact all laws which shall be necessary and proper for carrying into execution any power delegated to the Business Committee or delegated to any person or committee under the supervision of the Business Committee. (p) To govern the inheritance of real and personal property owned by members.

ARTICLE VI - RATIFICATION

This Constitution shall go into effect when ratified by two thirds (2/3) of all members eligible to vote, present and voting at a General Council meeting at which a debate and vote on this Constitution has been placed on the agenda. All enrolled members of the Quinault Nation shall be notified of such a General Council meeting at least thirty (30) days prior to such a meeting, and the notice provided shall make specific reference to the proposed ratification of this Constitution. Election of officers provisions shall not take effect until the annual meeting of the General Council following the adoption of this Constitution.

ARTICLE VII - AMENDMENT

SECTION 1: This Constitution may be amended by a two thirds (2/3) vote of a quorum of the General Council at an annual or special meeting provided, however, that the notice of the meeting at which an amendment is proposed shall be given at least thirty (30) days before the meeting, and

shall set forth the proposed amendment and an explanation thereof; and provided further that after discussion of the amendment at the meeting there shall be a recess of at least 30 minutes to enable the members to further discuss the amendment among themselves.

SECTION 2: The Business Committee shall call a meeting to consider a proposed amendment upon its own motion, or upon receipt of a petition signed by fifty (50) voting members or upon resolution of the General Council.

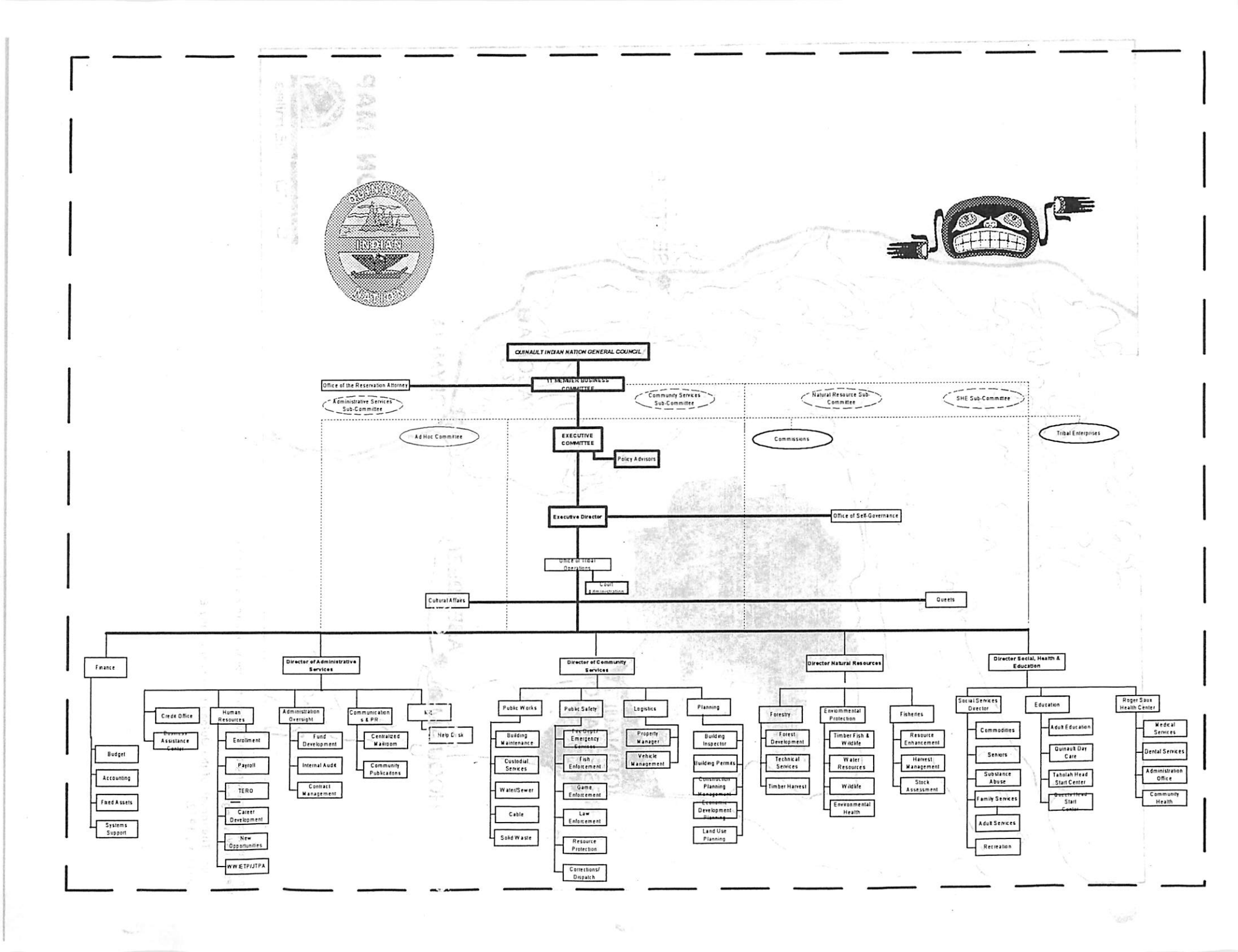
ARTICLE VIII - ENFORCEABILITY

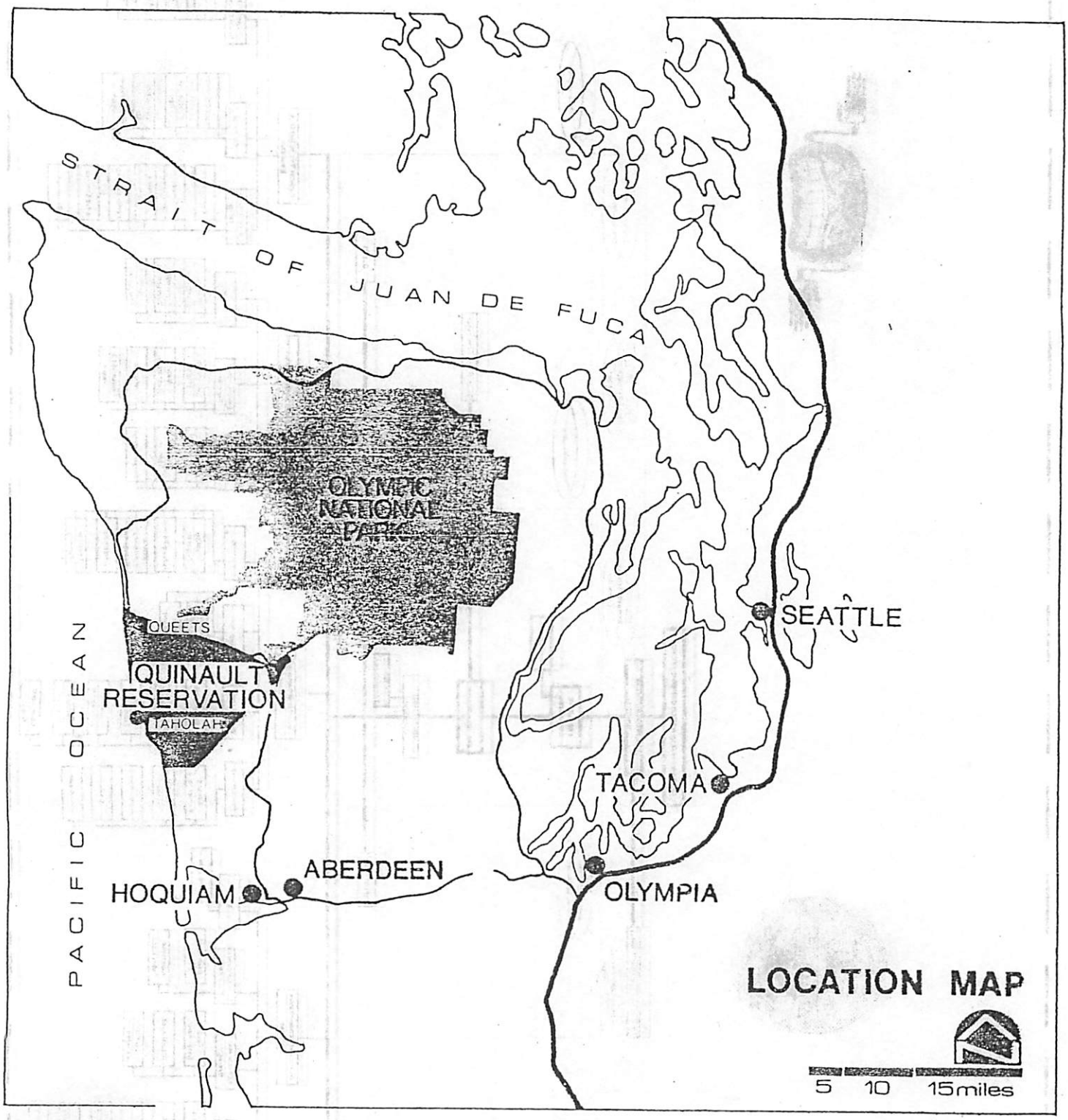
The provisions of the Constitution shall be enforceable exclusively in the Quinault Tribal Court and in the Federal Courts of the United States where provided by federal law, and shall not be enforceable in any other court, except where the Quinault Tribe brings suit in its own name in any other Court. This section shall not be interpreted as a consent to suit or waiver of sovereign immunity by the Quinault Indian Nation.

ARTICLE IX - APPROVAL OF SECRETARY OF INTERIOR

The Secretary of the Interior shall have the power to review actions taken pursuant to the herein named powers and all other National powers, but only in those cases and only to the extent that the Secretary has been given such powers of review by express statutory command of the Congress of the United States.

ADOPTED MARCH 22, 1975


QUINAULT INDIAN NATION GENERAL COUNCIL
11 MEMBER BUSINESS COMMITTEE
Office of the Reservation Attorney
Administrative Services Sub-Committee
Community Services Sub-Committee
Natural Resource Sub-Committee
SHE Sub-Committee
Ad Hoc Committee
EXECUTIVE COMMITTEE
Policy Advisors
Commissions
Tribal Enterprises
Executive Director
Office of Self-Governance
Cultural Affairs
Queets
Finance
Budget
Accounting
Fixed Assets
Systems Support
Director of Administrative Services
Credit Office
Business Assistance Center
Human Resources
Enrollment
Payroll
TERO
Career Development
New Opportunities
WW/ETP/JTPA
Administration Oversight
Fund Development
Internal Audit
Contract Management
Communications & PR
Centralized Mailroom
Community Publications
Help Desk
Director of Community Services
Public Works
Building Maintenance
Custodial Services
Water/Sewer
Cable
Solid Waste
Public Safety
Fish Enforcement
Game Enforcement
Law Enforcement
Resource Protection
Corrections/ Dispatch
Logistics
Property Manager
Vehicle Management
Planning
Building Inspector
Building Permits
Land Use Planning
Director Natural Resources
Forestry
Forest Development
Technical Services
Timber Harvest
Environmental Protection
Timber Fish & Wildlife
Water Resources
Wildlife
Environmental Health
Fisheries
Resource Enhancement
Harvest Management
Stock Assessment
Director Social, Health & Education
Social Services Director
Commodities
Seniors
Substance Abuse
Family Services
Adult Services
Recreation
Education
Adult Education
Quinault Day Care
Taholah Head Start Center
Roger Saux Health Center
Medical Services
Dental Services
Administration Office
Community Health



Location Map Showing the Quinault Reservation in Relation to Western Washington.

Cover: The mouth of the Quinault River from the E.L. Curtis collection, 1912.

Quinault Business Committee

RESOLUTION #00 142 - 77

WHEREAS, the Quinault Business Committee is the recognized governing body of the Quinault Indian Nation under the authority of the Quinault Indian Nation's Constitution adopted by the Quinault General Council on March 22nd, 1975; and

WHEREAS, the Quinault Business Committee has the constitutional authority to enact laws for the welfare of the Quinault Indian Nation, and

WHEREAS, The Quinault Indian Nation, pursuant to it's own inherent tribal sovereignty and powers of self government is capable of exercising its power and authority to protect tribal members and tribally held resources; and

WHEREAS, The Quinault Indian Nation Business Committee finds that it is both appropriate and necessary to provide for emergency powers for the protection of Quinault tribal members and treaty resources from imminent and substantial dangers arising out of pollutants to air, soils and waters of the Quinault Indian Reservation; and

WHEREAS, the Quinault Business Committee finds that it has authority to authorize the President of the Quinault Indian Nation to exercise certain emergency powers on behalf of the Nation in certain circumstances; now

THEREFORE BE IT RESOLVED, that the Quinault Business Committee hereby authorizes the President of the Quinault Indian Nation to exercise the following emergency powers where the conditions dictate that immediate and necessary action as follows:

> The President may, upon receipt of evidence that pollution sources or combination of sources is presenting an imminent and substantial endangerment to the health of tribal members within the boundaries of the Quinault Indian Reservation; or to the welfare of tribal members where such endangerment is to the subsistence or other hunting, fishing, trapping, or other gathering rights exercised by Quinault tribal members , bring suit on behalf of the Nation in the Tribal Court or other court of competent jurisdiction and venue to immediately restrain and enjoin any person or persons causing or

contributing to the alleged pollution to cease the discharge of pollutants; cease causing or contributing to such pollution; or to take such other action as may be lawful and necessary for the protection of the health of Quinault tribal members or tribally held resource.

For the purposes of this resolution, pollution means those substances defined as pollution or pollutants within the Federal Clean Air Act (42 U.S.C. § 7401 *et seq.*) and the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*)

Pearl Capoeman-Baller, President
Quinault Indian Nation

Certification

AS SECRETARY OF THE QUINAULT BUSINESS COMMITTEE, I HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY ENACTED BY THE QUINAULT BUSINESS COMMITTEE ON ~~JANUARY~~ February 1st, 2000 BY A VOTE OF 6 FOR, 0 AGAINST, AND 0 ABSTAINING.

Marjorie Valdillez, Secretary
Quinault Business Committee

RESOLUTION NO. 00 - 142 - 77

QUINAULT BUSINESS COMMITTEE
SIGN OFF SHEET
FOR
RESOLUTION NO. 00 - 142 - 77

Pearl Capoeman-Baller, President

Edward Johnstone, Jr. 3rd Councilman

David E. Martin, Vice-President

Guy Capoeman, 4th Councilman

Marjorie Valdillez, Secretary

Hannah Martin, 5th Councilwoman

Virginia Brings Yellow, Treasurer

Natalie Charley, 6th Councilwoman

Joseph Davis, 1st Councilman

Harold Charles, Jr., 7th Councilman

Lawrence Hall Jr., 2nd Councilman

February 1, 2000
Date (Day, Month, Year)

Independent Auditor's Reports and Primary Government Financial Statements with Supplemental Information

September 30, 1998

MOSS-ADAMS LLP

QUINAULT INDIAN NATION
(Component Units Not Included)
TABLE OF CONTENTS
September 30, 1998

INDEPENDENT AUDITOR'S REPORT

To the Business Committee Members
Quinault Indian Nation

We have audited the accompanying primary government financial statements of Quinault Indian Nation as of September 30, 1998 and for the year then ended. These financial statements are the responsibility of Quinault Indian Nation's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

A primary government is a legal entity or body politic and includes all funds, organizations, institutions, agencies, departments, and offices that are not legally separate. Such legally separate entities are referred to as component units. In our opinion, the primary government financial statements present fairly, in all material respects, the financial position of the primary government of Quinault Indian Nation as of September 30, 1998, and the results of its operations and the cash flows of its fiduciary fund types for the year then ended, in conformity with generally accepted accounting principles.

However, the primary government financial statements, because they do not include the financial data of component units of Quinault Indian Nation, do not purport to, and do not, present fairly the financial position of Quinault Indian Nation as of September 30, 1998, and the results of its operations and the cash flows of its component units for the year then ended, in conformity with generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we have also issued report dated February 17, 1999 on our consideration of Quinault Indian Nation's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants,.

Our audit was made for the purpose of forming an opinion on the primary government financial statements taken as a whole. The schedule of expenditures of federal and non-federal awards is presented as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*. The schedule and other information presented on pages 25 through 32 are presented for purposes of additional analysis and are not a required part of the primary government financial statements. Such information has been subjected to the same auditing procedures applied in the audit of the primary government financial statements, and in our opinion, is fairly stated in all material respects in relation to the primary government financial statements taken as a whole.

Moss Adams LLP

Bellingham, Washington
February 17, 1999

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
September 30, 1998

	Governmental Fund Types		Fiduciary Fund Types	Account Groups		Totals (Memorandum Only)
	General	Special Revenue	Trust and Agency	General Fixed Assets	General Long-Term Debt	
ASSETS						
ASSETS						
Cash and cash equivalents	$ 1,899,802	$ -	$ 520,722	$ -	$ -	$ 2,420,524
Investments	2,712,470	-	583,706	-	-	3,296,176
Investments held in trust	-	-	2,078,523	-	-	2,078,523
Receivables						
Due from other funds	31,135,459	1,142,398	74,831	-	-	32,352,688
Contracts and grants	-	1,765,884	-	-	-	1,765,884
Due from component units	2,693,493	-	1,885	-	-	2,695,378
Other	634,794	-	2,683	-	-	637,477
Total receivables	34,463,746	2,908,282	79,399	-	-	37,451,427
Prepaid expenses	252,523	-	-	-	-	252,523
Property and equipment, net	-	-	25,872,231	38,901,258	-	64,773,489
Amount to be provided for long-term debt	-	-	-	-	5,353,234	5,353,234
TOTAL ASSETS	$ 39,328,541	$ 2,908,282	$ 29,134,581	$ 38,901,258	$ 5,353,234	$ 115,625,896
LIABILITIES AND FUND EQUITY						
LIABILITIES						
Accounts payable and accrued expenses	$ 2,645,004	$ -	$ -	$ -	$ -	$ 2,645,004
Due to other funds	1,217,230	-	31,135,458	-	-	32,352,688
Due to component units	1,987,011	-	1,782,231	-	-	3,769,242
Due to federal agencies	332,828	-	-	-	-	332,828
Deferred revenue	-	2,908,282	201,956	-	-	3,110,238
Deferred retirement benefits 401(k)	-	-	2,155,239	-	-	2,155,239
Deferred compensation payable	-	-	529,596	-	-	529,596
Compensated absences	-	-	-	-	229,863	229,863
Long-term debt	-	-	-	-	5,123,371	5,123,371
TOTAL LIABILITIES	6,182,073	2,908,282	35,804,480	-	5,353,234	50,248,069
FUND EQUITY						
Investment in general fixed assets	-	-	-	38,901,258	-	38,901,258
Fund deficit	-	-	(6,669,899)	-	-	(6,669,899)
Fund balances:						
Reserved	31,124,962	-	-	-	-	31,124,962
Unreserved - Undesignated	2,021,506	-	-	-	-	2,021,506
TOTAL FUND EQUITY (DEFICIT)	33,146,468	-	(6,669,899)	38,901,258	-	65,377,827
TOTAL LIABILITIES AND FUND EQUITY	$ 39,328,541	$ 2,908,282	$ 29,134,581	$ 38,901,258	$ 5,353,234	$ 115,625,896

See accompanying notes to these financial statements.

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUND TYPES
Year Ended September 30, 1998

	General Fund	Special Revenue Fund	Capital Projects Fund	Totals (Memorandum Only)
REVENUES				
Contracts and grants	$ -	$ 15,341,912	$ 3,251,813	$ 18,593,725
Indirect costs reimbursed	5,156,756	-	-	5,156,756
Timber sales	1,820,459	-	-	1,820,459
Patient services	-	822,596	-	822,596
Investment income	742,032	-	-	742,032
Casino administration	333,977	-	-	333,977
Other	121,228	86,756	-	207,984
Use allowance	166,028	-	-	166,028
Licenses and permits	79,982	-	-	79,982
Taxes and fines	65,581	-	-	65,581
Gravel sales	49,845	-	-	49,845
Lease	20,944	-	-	20,944
Total revenues	8,556,832	16,251,264	3,251,813	28,059,909
EXPENDITURES				
Current				
Health and welfare	778,882	6,113,293	-	6,892,175
Natural resource development	688,876	6,116,129	-	6,805,005
General government	3,970,596	243,197	-	4,213,793
Public safety	90,084	1,376,029	-	1,466,113
Planning and development	240,673	1,007,921	-	1,248,594
Education	90,106	1,150,267	-	1,240,373
Sanitation	677,694	268,094	-	945,788
Capital outlay	6,157,151	-	3,485,575	9,642,726
Debt principal payments	692,265	-	-	692,265
Total expenditures	13,386,327	16,274,930	3,485,575	33,146,832
EXPENDITURES OVER REVENUES	(4,829,495)	(23,666)	(233,762)	(5,086,923)
OTHER FINANCING SOURCES (USES)				
Loan proceeds	2,581,654	-	-	2,581,654
Operating transfers in	752,331	257,428	233,762	1,243,521
Transfer from general fixed asset account group	649,660	-	-	649,660
Land purchase by North Boundary	506,779	-	-	506,779
Operating transfers out	(257,428)	(233,762)	-	(491,190)
TOTAL OTHER FINANCING SOURCES (USES)	4,232,996	23,666	233,762	4,490,424
REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	(596,499)	-	-	(596,499)
FUND BALANCE, beginning of year	34,392,627	-	-	34,392,627
RESIDUAL EQUITY TRANSFER	(649,660)	-	-	(649,660)
FUND BALANCE, end of year	$ 33,146,468	$ -	$ -	$ 33,146,468

See accompanying notes to these financial statements.

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINED STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GOVERNMENTAL FUND TYPES
Year Ended September 30, 1998

	General Fund			Special Revenue Fund			Capital Projects Fund		
	Budget	Actual	Variance Favorable (Unfavorable)	Budget	Actual	Variance Favorable (Unfavorable)	Budget	Actual	Variance Favorable (Unfavorable)
REVENUES									
Contracts and grants	$ -	$ -	$ -	$ 21,607,595	$ 15,341,912	$ (6,265,683)	$ 3,336,403	$ 3,251,813	$ (84,590)
Indirect costs reimbursed	5,282,524	5,156,756	(125,768)	-	-	-	-	-	-
Timber sales	249,000	1,820,459	1,571,459	-	-	-	-	-	-
Investment income	400,000	742,032	342,032	-	-	-	-	-	-
Patient services	-	-	-	-	822,596	822,596	-	-	-
Casino administration	-	333,977	333,977	-	-	-	-	-	-
Use allowance	-	166,028	166,028	-	-	-	-	-	-
Taxes and fines	73,000	65,581	(7,419)	-	-	-	-	-	-
Licenses and permits	90,000	79,982	(10,018)	-	-	-	-	-	-
Other	18,000	121,228	103,228	-	86,756	86,756	-	-	-
Gravel sales	-	49,845	49,845	-	-	-	-	-	-
Lease	20,000	20,944	944	-	-	-	-	-	-
Total revenues	6,132,524	8,556,832	2,424,308	21,607,595	16,251,264	(5,356,331)	3,336,403	3,251,813	(84,590)
EXPENDITURES									
Current									
General government	4,010,085	3,970,596	39,489	948,673	243,197	705,476	-	-	-
Natural resource development	725,000	688,876	36,124	8,167,727	6,116,129	2,051,598	-	-	-
Health and welfare	745,369	778,882	(33,513)	7,422,371	6,113,293	1,309,078	-	-	-
Public safety	83,500	90,084	(6,584)	1,541,576	1,376,029	165,547	-	-	-
Planning and development	382,071	240,673	141,398	1,632,439	1,007,921	624,518	3,336,403	-	3,336,403
Education	241,556	90,106	151,450	1,637,221	1,150,267	486,954	-	-	-
Sanitation	551,944	677,694	(125,750)	257,588	268,094	(10,506)	-	-	-
Capital outlay	70,000	6,157,151	(6,087,151)	-	-	-	-	3,485,575	(3,485,575)
Debt principal payments	88,155	692,265	(604,110)	-	-	-	-	-	-
Total expenditures	6,897,680	13,386,327	(6,488,647)	21,607,595	16,274,930	5,332,665	3,336,403	3,485,575	(149,172)
EXPENDITURES OVER REVENUES	(765,156)	(4,829,495)	(4,064,339)	-	(23,666)	(23,666)	-	(233,762)	(233,762)
OTHER FINANCING SOURCES (USES)									
Loan proceeds	-	2,581,654	2,581,654	-	-	-	-	-	-
Operating transfers in	650,000	752,331	102,331	-	257,428	257,428	-	233,762	233,762
Transfer from general fixed asset account group	-	649,660	649,660	-	-	-	-	-	-
Land purchase by North Boundary	-	506,779	506,779	-	-	-	-	-	-
Operating transfers out	-	(257,428)	(257,428)	-	(233,762)	(233,762)	-	-	-
TOTAL OTHER FINANCING SOURCES (USES)	650,000	4,232,996	3,582,996	-	23,666	23,666	-	233,762	233,762
REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	$ (115,156)	(596,499)	$ (481,343)	$ -	-	$ -	$ -	-	$ -
FUND BALANCE, beginning of year		34,392,627			-			-	
RESIDUAL EQUITY TRANSFER		(649,660)			-			-	
FUND BALANCE, end of year		$ 33,146,468			$ -			$ -	

See accompanying notes to these financial statements.

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINED STATEMENT OF REVENUES, EXPENSES, AND FUND EQUITY
FIDUCIARY FUND TYPES
Year Ended September 30, 1998

	Non-Expendable Trust Fund
REVENUES	
Timber sales	$ 1,448,045
Other	29,292
Total revenues	1,477,337
EXPENSES	
Depreciation and depletion	673,239
Planting contracts	522,147
Forest management deductions	128,163
Indirect costs	32,802
Salaries and wages	21,215
Non-capitalized equipment	10,744
Road maintenance	8,821
Fringe benefits	4,915
Taxes and licenses	3,556
Supplies	1,536
Professional fees	1,475
Travel	1,350
Rents and leases	970
Advertising	130
Total expenses	1,411,063
INCOME FROM OPERATIONS	66,274
OTHER INCOME (EXPENSE)	
Interest earned	23,549
Interest expense	(137,495)
Land purchase transferred to general fund	(506,779)
Total other income (expense)	(620,725)
NET LOSS	(554,451)
FUND EQUITY (DEFICIT), beginning of year	(6,115,448)
FUND EQUITY (DEFICIT), end of year	$ (6,669,899)

See accompanying notes to these financial statements.

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINED STATEMENT OF CASH FLOWS
FIDUCIARY FUND TYPES
Year Ended September 30, 1998

CASH FLOWS FROM OPERATING ACTIVITIES	
Income from operations	$ 66,274
Adjustments to reconcile net operating income (loss) to net cash provided by operating activities:	
Depreciation and depletion	673,239
Changes in operating assets and liabilities	
Deferred revenue	36,997
Due to other funds	223,802
Net cash flows from operating activities	1,000,312
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES	
Interest paid	(137,495)
Land purchase transferred to general fund	(506,779)
Repayment on North Boundary note	(289,637)
Net cash flows from noncapital financing activities	(933,911)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES	
Purchase of fixed assets	(29,291)
CASH FLOWS FROM INVESTING ACTIVITIES	
Interest received	23,549
NET INCREASE IN CASH	60,659
CASH AND CASH EQUIVALENTS, beginning of year	460,063
CASH AND CASH EQUIVALENTS, end of year	$ 520,722

See accompanying notes to these financial statements.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Quinault Indian Nation (the "Nation") have been prepared in conformity with generally accepted accounting principles ("GAAP") as applied to governmental units. The Governmental Accounting Standards Board ("GASB") is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the government's accounting policies are described below.

(a) Reporting Entity Oversight Unit - The Quinault Indian Nation is a federally recognized Tribe of American Indians, organized under the Treaty of Olympia 12 statute 971 established by Executive Order dated November 4, 1873. Its current constitution and bylaws were adopted in 1922 and amended March 22, 1975, April 5, 1986 and June 23, 1997. The Nation is governed by an elected eleven member Business Committee.

The Nation has elected to exclude its component units from the reporting entity. These component units have significant operational or financial relationships with the Nation and, as required by generally accepted accounting principles, should be included in the Nation's financial statements.

The following is a brief description of the component units excluded from these financial statements, none of which received federal funds:

Quinault Land and Timber Enterprises ("QLTE") - The operations of QLTE include the purchase of timber lands within and near the Quinault Reservation, and harvesting and sales of timber to the domestic market. QLTE has fifty percent ownership in QLTE/QLC, a joint venture which accounts for foreign timber sales for export. QLTE also operates boat moorage and mini-mart sales through the Maritime Resort.

Quinault Tribal Enterprises ("QTE") - The operations of QTE include seafood processing and sales through Quinault Pride and Ocean Fresh Seafoods; restaurant and grocery sales through the Taholah Mercantile and the Queets Trading Post; the Forest Products division which holds a small parcel of land; Quinault Cable and Utilities, which provides cable television and utility services to the reservation; and Quinault Credit Office, which makes loans to Tribal members and businesses.

Quinault Resort ("Resort") - The Nation has begun construction of a Tribal lodge convention center and related facilities which include a gaming operation. Development costs associated with this project are capitalized in this enterprise.

(b) Basis of Accounting - The Nation prepares its financial statements in accordance with the American Institute of Certified Public Accountants' *Audit and Accounting Guide for Audits of State and Local Governmental Units.* The Nation's governmental fund types report on the modified accrual basis of accounting except for the recognition of income from certain timber sales, interest, Tribal fees, licenses and certain taxes which are reported on the cash basis. Using the modified accrual basis of accounting, revenues

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

are recognized when they become measurable and available as net current assets, and expenditures are recognized when the related fund liability is incurred. Revenues earned from sales of timber to the Quinault Land and Timber Enterprise and its joint ventures is recorded on the accrual method of accounting. The North Boundary fiduciary fund reports on the accrual basis of accounting. Using the accrual basis of accounting, revenues are recognized when they are earned, and expenses are recognized when they are incurred.

(c) Fund Classification - The accounts of the Nation are organized on the basis of funds and account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures. The various funds are grouped in the accompanying financial statements into two fund types and two account groups.

GOVERNMENTAL FUNDS

General Fund - The General Fund is the general operating fund of the Nation. It is used to account for all financial resources except those required to be accounted for in another fund. It includes the indirect cost pool of the Nation.

Special Revenue Funds - Special Revenue funds are used to account for the proceeds of specified revenue sources (other than special assessments, expendable trusts, or major capital projects) that are legally restricted to expenditures for specified purposes.

Capital Projects Funds - Capital Projects funds are used to account for the construction of major capital projects extending beyond one fiscal year and when financing is provided by multiple sources of funds.

FIDUCIARY FUNDS

Nonexpendable Trust Fund - North Boundary fiduciary fund ("North Boundary") - The Nation's North Boundary fund was created to account for approximately 12,000 acres of land transferred to the Nation by the United States Congress in October 1988. Proceeds from the harvesting of timber from the land, known as the North Boundary property, are restricted for specified purposes (Note 8).

Agency Fund - The Agency fund is used to account for assets held by the Nation in a trustee capacity for the Quinault Indian Nation 401(k) Plan and the Quinault Indian Nation Qualified Retirement Trust. Agency funds are purely custodial (assets equal liabilities) and thus do not involve measurement of results of operations.

GENERAL FIXED ASSETS AND LONG-TERM DEBT ACCOUNT GROUPS

Fixed assets used in governmental fund type operations (general fixed assets) are accounted for in the General Fixed Assets Account Group, rather than governmental funds.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Long-term liabilities expected to be financed from governmental funds are accounted for in the General Long-Term Debt Account Group, rather than in the governmental funds.

The two account groups are not "funds." They are concerned only with the measurement of financial position. They are not involved with measurement of results of operations.

(d) Cash and Cash Equivalents - Cash and cash equivalents include cash on hand, deposits with banks and other highly liquid investments with original maturities of three months or less.

(e) Investments - Investments are recorded at fair market value in accordance with Statement 31 of the Governmental Accounting Standards Board.

(f) Due To/From Other Funds - The Nation maintains one general checking account into which substantially all funds are deposited and from which all expenditures are paid. The cash balance is recorded in the general fund. The due from other funds represents the cumulative excess of receipts over disbursements from the general checking account for the special revenue fund. See Note 8 for discussion of amounts due from the North Boundary fund.

(g) Prepaid Expenses - Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items.

The cost of governmental fund type supply items are recorded as expenditures when purchased rather than when consumed.

(h) Fixed Assets and Depreciation - All fixed assets are recorded at historical cost or estimated historical cost if actual cost is not available. Donated fixed assets are valued at their estimated fair value on the date donated.

General fixed assets acquired by governmental fund types are not capitalized in the funds used to acquire or construct them. Instead, capital acquisition and construction are reflected as expenditures in governmental funds, and the related assets are reported in the general fixed assets account group.

Public domain ("infrastructure") general fixed assets consisting of roads, bridges, curbs and gutters, streets and sidewalks, drainage systems and lighting systems are not capitalized, as these assets are immovable and of value only to the government.

The Nation records accumulated depreciation in the general fixed asset account group only for assets purchased with General Fund monies. Assets are depreciated on the straight-line basis over their estimated useful lives (three to twenty-five years).

Depreciation is not recorded in governmental funds, however a use allowance is recorded as an expenditure and as revenue in the General Fund, to account for the Indirect Cost Pool's use of governmental buildings and equipment.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets as applicable.

Assets in the nonexpendable trust fund are depreciated on the straight-line basis over their estimated useful lives (ten to fifty years).

Depletion of timberlands is recorded as timber is harvested and is calculated as a percentage of historical cost allocable to harvested timber.

(i) Deferred Revenue - The Nation recognizes deferred revenue in the special revenue fund to the extent cash receipts from a grant or contract exceed program expenditures.

(j) Compensated Absences - The Nation accrues the cost of unpaid vacation time earned. The General Long-Term Debt Account Group includes $229,863 of accrued vacation at September 30, 1998. Accrued sick leave is not recorded since the Nation has no legal obligation to pay upon termination.

(k) Encumbrances - Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is not utilized by the Council.

(l) Budgets - Budgets for the special revenue fund and the capital projects fund represent the aggregate budgets for all grants and contracts. The general fund budget represents the Nation's budgets for the general fund and indirect cost pool.

(m) Total Columns on Combined Statements - Total columns on the combined statements are captioned "memorandum only" to indicate that they are presented only to facilitate financial analysis. Data in these columns does not present financial position, results of operations, or cash flows in conformity with generally accepted accounting principles. Such data is not comparable to a consolidation. Interfund eliminations have not been made.

NOTE 2 - CASH AND CASH EQUIVALENTS

	Carrying Balance	Bank Balance
Cash deposited with brokerage houses which is fully insured or collateralized	$ 237,003	$ 237,003
Cash deposited with financial institutions which is fully insured or collateralized	1,027,902	1,539,677
Deposits held by the Bureau of Indian Affairs	1,155,619	1,155,619
Total	$ 2,420,524	$ 2,932,299

NOTE 3 - INVESTMENTS

The Nation's investments are summarized below. The investments that are represented by specific identifiable investment securities are classified as to credit risk by the three categories described below:

Category 1 - Insured or registered, or securities held by the Nation or its agent in the Nation's name.

Category 2 - Uninsured and unregistered, with securities held by the counterparty's trust department or agent in the Nation's name.

Category 3 - Uninsured and unregistered, with securities held by the counterparty, or by its trust department or agent, but not in the Nation's name.

	Category			Market
	1	2	3	Value
General Fund				
Common stocks	$ 26,398	$ -	$ -	$ 26,398
Certificates of deposit	1,533,074	-	-	1,533,074
Federal securities	1,140,563	-	-	1,140,563
	$ 2,700,035	$ -	$ -	2,700,035
Mutual funds				12,435
Subtotal general fund				2,712,470
Fiduciary Fund				
Common stocks	$ 38,048	$ -	$ -	38,048
Federal securities	170,026	-	-	170,026
	$ 208,074	$ -	$ -	208,074
Mutual funds				2,454,155
Subtotal fiduciary fund				2,662,229
Total				$ 5,374,699

NOTE 4 - RELATED PARTY TRANSACTIONS

The following are receivables owed to the primary government and payables of the primary government for transactions with component units:

RECEIVABLES	
Quinault Land and Timber Enterprise	$ 915,137
Quinault Resort	1,430,943
Quinault Pride	187,066
Quinault Land and Timber Enterprises/Quinault Lumber Company Joint Venture	86,559
Quinault Credit Office	57,442
Taholah Mercantile	12,296
Queets	5,718
Quinault Cable and Utilities	217
	$ 2,695,378
PAYABLES	
Quinault Land and Timber Enterprise	$ 3,752,340
Quinault Credit Office	16,902
	$ 3,769,242

NOTE 5 - PROPERTY AND EQUIPMENT

	General Fixed Assets	North Boundary	Totals
Land, timber and timberlands	$ 60,159,038	$ 33,108,814	$ 93,267,852
Building and improvements	9,051,660	526,419	9,578,079
Furniture and equipment	2,817,860	-	2,817,860
Rolling stock	769,225	-	769,225
Construction in progress	3,477,796	-	3,477,796
	76,275,579	33,635,233	109,910,812
Less accumulated depreciation and depletion	(37,374,321)	(7,763,002)	(45,137,323)
Net property and equipment	$ 38,901,258	$ 25,872,231	$ 64,773,489

NOTE 5 - PROPERTY AND EQUIPMENT (Continued)

The following is a summary of changes in general fixed assets:

	General Fixed Assets Account Group			
	Balance September 30, 1997	Additions	Deletions / Transfer	Balance September 30, 1998
Land, timber and timberlands	$ 54,367,849	$ 5,791,189	$ -	$ 60,159,038
Building and improvements	8,510,282	541,378	-	9,051,660
Furniture and equipment	2,529,691	288,169	-	2,817,860
Rolling stock	731,015	61,244	(23,034)	815,293
Construction in progress	641,881	3,485,575	(649,660)	4,777,116
	66,780,718	10,167,555	(672,694)	77,620,967
Less accumulated depreciation and depletion	(36,176,775)	(1,220,580)	23,034	(37,420,389)
	$ 30,603,943	$ 8,946,975	$ (649,660)	$ 40,200,578

Current year fixed asset additions includes $157,495 of timber regeneration costs that have been capitalized.

It is the Nation's policy to depreciate only those assets purchased by the general fund. Of recorded assets, $27,055,955 were purchased by the general fund.

The Nation has not recorded certain original reservation lands and timber, the related infrastructure, and depletion relating to such land and timber. The effect of not recording these items is not considered to be material to the financial statements.

Current year purchases include a capital lease for computer equipment at a cost of $281,654 and the transfer from Indian Health Services of the Queets Health Clinic at a market value of $110,200.

Under federal regulations, when assets acquired under a grant are no longer needed, disposition of the asset may require the return of the asset or a portion of the proceeds from the sale to the awarding agency.

NOTE 6 - GAMING DEVELOPMENT COSTS

The Nation entered into a Washington State Compact for the regulation of Class III gaming on July 9, 1996, At September 30, 1998, the Nation has incurred $1,430,943 in development costs associated with the development of the Quinault Resort and gaming operation. These costs have been recorded as a receivable from the Resort project (Note 4). The anticipated costs of this project which includes a Tribal lodge, convention center and related facilities is estimated to be $38,000,000. At September 30, 1998, the project has incurred costs of approximately $8,750,000 (see Note 15).

NOTE 7 - LONG-TERM DEBT

General Long-term Debt Account Group

Note payable to Farmers' Home Administration, dated April 1996, in the original amount of $2,399,400, payable in semi-annual installments of $68,479 including interest at 4.875%, due in October 2036, collateralized by the Nation's administration building.	$ 2,338,340
Note payable to Bank of Grays Harbor dated May 26, 1998, in the amount of $2,250,000 payable in installments of $281,270, including interest at 8.5% due July 2003, collateralized by real estate with a recorded value of $5,100,000.	2,250,000
Capitalized equipment lease obligation payable in monthly installments of $8,855 including interest at 8.4% through October 2001, collateralized by computer equipment.	281,654
Note payable to Farmers' Home Administration, dated April 1978, in the original amount of $1,500,000 payable in annual installments of $88,155 including interest at 5%, due April 2018, collateralized by land with a recorded value of $1,500,000.	203,377
Note payable to State of Washington, dated April 10, 1998 in the amount of $50,000, payable in semi-annual installments of $3,125 plus interest at 5%, (no interest due until October 2001), due October 2006.	50,000
Total long-term debt	$ 5,123,371

The following is a summary of changes in the General Long-Term Debt Account Group:

	Balance September 30, 1997	Additions	Reductions	Balance September 30, 1998
Farmers' Home Administration (total)	$ 3,233,982	$ -	$ 692,265	$ 2,541,717
Compensated absences	207,003	22,860	-	229,863
Bank note	-	2,250,000	-	2,250,000
Capital lease	-	281,654	-	281,654
State of Washington	-	50,000	-	50,000
	$ 3,440,985	$ 2,604,514	$ 692,265	$ 5,353,234

NOTE 3 - INVESTMENTS

The Nation's investments are summarized below. The investments that are represented by specific identifiable investment securities are classified as to credit risk by the three categories described below:

Category 1 - Insured or registered, or securities held by the Nation or its agent in the Nation's name.

Category 2 - Uninsured and unregistered, with securities held by the counterparty's trust department or agent in the Nation's name.

Category 3 - Uninsured and unregistered, with securities held by the counterparty, or by its trust department or agent, but not in the Nation's name.

	Category			Market
	1	2	3	Value
General Fund				
Common stocks	$ 26,398	$ -	$ -	$ 26,398
Certificates of deposit	1,533,074	-	-	1,533,074
Federal securities	1,140,563	-	-	1,140,563
	$ 2,700,035	$ -	$ -	2,700,035
Mutual funds				12,435
Subtotal general fund				2,712,470
Fiduciary Fund				
Common stocks	$ 38,048	$ -	$ -	38,048
Federal securities	170,026	-	-	170,026
	$ 208,074	$ -	$ -	208,074
Mutual funds				2,454,155
Subtotal fiduciary fund				2,662,229
Total				$ 5,374,699

NOTE 4 - RELATED PARTY TRANSACTIONS

The following are receivables owed to the primary government and payables of the primary government for transactions with component units:

RECEIVABLES	
Quinault Land and Timber Enterprise	$ 915,137
Quinault Resort	1,430,943
Quinault Pride	187,066
Quinault Land and Timber Enterprises/Quinault Lumber Company Joint Venture	86,559
Quinault Credit Office	57,442
Taholah Mercantile	12,296
Queets	5,718
Quinault Cable and Utilities	217
	$ 2,695,378
PAYABLES	
Quinault Land and Timber Enterprise	$ 3,752,340
Quinault Credit Office	16,902
	$ 3,769,242

NOTE 5 - PROPERTY AND EQUIPMENT

	General Fixed Assets	North Boundary	Totals
Land, timber and timberlands	$ 60,159,038	$ 33,108,814	$ 93,267,852
Building and improvements	9,051,660	526,419	9,578,079
Furniture and equipment	2,817,860	-	2,817,860
Rolling stock	769,225	-	769,225
Construction in progress	3,477,796	-	3,477,796
	76,275,579	33,635,233	109,910,812
Less accumulated depreciation and depletion	(37,374,321)	(7,763,002)	(45,137,323)
Net property and equipment	$ 38,901,258	$ 25,872,231	$ 64,773,489

NOTE 5 - PROPERTY AND EQUIPMENT (Continued)

The following is a summary of changes in general fixed assets:

	General Fixed Assets Account Group			
	Balance September 30, 1997	Additions	Deletions / Transfer	Balance September 30, 1998
Land, timber and timberlands	$ 54,367,849	$ 5,791,189	$ -	$ 60,159,038
Building and improvements	8,510,282	541,378	-	9,051,660
Furniture and equipment	2,529,691	288,169	-	2,817,860
Rolling stock	731,015	61,244	(23,034)	815,293
Construction in progress	641,881	3,485,575	(649,660)	4,777,116
	66,780,718	10,167,555	(672,694)	77,620,967
Less accumulated depreciation and depletion	(36,176,775)	(1,220,580)	23,034	(37,420,389)
	$ 30,603,943	$ 8,946,975	$ (649,660)	$ 40,200,578

Current year fixed asset additions includes $157,495 of timber regeneration costs that have been capitalized.

It is the Nation's policy to depreciate only those assets purchased by the general fund. Of recorded assets, $27,055,955 were purchased by the general fund.

The Nation has not recorded certain original reservation lands and timber, the related infrastructure, and depletion relating to such land and timber. The effect of not recording these items is not considered to be material to the financial statements.

Current year purchases include a capital lease for computer equipment at a cost of $281,654 and the transfer from Indian Health Services of the Queets Health Clinic at a market value of $110,200.

Under federal regulations, when assets acquired under a grant are no longer needed, disposition of the asset may require the return of the asset or a portion of the proceeds from the sale to the awarding agency.

NOTE 6 - GAMING DEVELOPMENT COSTS

The Nation entered into a Washington State Compact for the regulation of Class III gaming on July 9, 1996, At September 30, 1998, the Nation has incurred $1,430,943 in development costs associated with the development of the Quinault Resort and gaming operation. These costs have been recorded as a receivable from the Resort project (Note 4). The anticipated costs of this project which includes a Tribal lodge, convention center and related facilities is estimated to be $38,000,000. At September 30, 1998, the project has incurred costs of approximately $8,750,000 (see Note 15).

NOTE 7 - LONG-TERM DEBT

General Long-term Debt Account Group

Note payable to Farmers' Home Administration, dated April 1996, in the original amount of $2,399,400, payable in semi-annual installments of $68,479 including interest at 4.875%, due in October 2036, collateralized by the Nation's administration building.	$ 2,338,340
Note payable to Bank of Grays Harbor dated May 26, 1998, in the amount of $2,250,000 payable in installments of $281,270, including interest at 8.5% due July 2003, collateralized by real estate with a recorded value of $5,100,000.	2,250,000
Capitalized equipment lease obligation payable in monthly installments of $8,855 including interest at 8.4% through October 2001, collateralized by computer equipment.	281,654
Note payable to Farmers' Home Administration, dated April 1978, in the original amount of $1,500,000 payable in annual installments of $88,155 including interest at 5%, due April 2018, collateralized by land with a recorded value of $1,500,000.	203,377
Note payable to State of Washington, dated April 10, 1998 in the amount of $50,000, payable in semi-annual installments of $3,125 plus interest at 5%, (no interest due until October 2001), due October 2006.	50,000
Total long-term debt	$ 5,123,371

The following is a summary of changes in the General Long-Term Debt Account Group:

	Balance September 30, 1997	Additions	Reductions	Balance September 30, 1998
Farmers' Home Administration (total)	$ 3,233,982	$ -	$ 692,265	$ 2,541,717
Compensated absences	207,003	22,860	-	229,863
Bank note	-	2,250,000	-	2,250,000
Capital lease	-	281,654	-	281,654
State of Washington	-	50,000	-	50,000
	$ 3,440,985	$ 2,604,514	$ 692,265	$ 5,353,234

NOTE 7 - LONG-TERM DEBT (Continued)

Long-term debt will mature as follows:

Year Ending September 30,	
1999	$ 602,002
2000	441,334
2001	478,921
2002	519,007
2003	562,527
Thereafter	2,237,926
	$ 4,841,717

Future minimum lease payments under capitalized lease obligation are as follows:

Year Ending September 30,	
1999	$ 106,263
2000	106,263
2001	106,263
	318,789
Less amounts representing interest	37,135
	$ 281,654

Cash payments during the year for interest on all outstanding debt amounted to $123,184 in the General Fund and $137,495 in the Fiduciary Fund.

NOTE 8 - NORTH BOUNDARY PROPERTY

In October 1988, the United States Congress passed legislation transferring approximately 12,000 acres of land to the Secretary of the Interior to be held in trust for the Quinault Indian Nation, as well as providing for receipt of the proceeds from timber sales from some 5,460 acres to be distributed to various entities, including 45% to the Nation. The primary purpose of the legislation was to provide a land and resource base for the Quinault Indian Nation to support a land consolidation program on the Quinault Indian Reservation.

The bill limits the sale of timber from the land to a quantity equal to or less than a quantity which can be removed from the land annually in perpetuity on a long-term sustained-yield basis. In addition, the timber harvested may only be sold in domestic markets. Proceeds from the sale of timber, and from the 45% timber proceeds allocation may only be used for the following:

a) Costs incurred by the Nation for the preparation and administration of timber sales.
b) Mitigation of adverse environmental impacts caused by the timber harvests.
c) Reforestation of any lands within the boundary of the Nation's reservation.

NOTE 8 - NORTH BOUNDARY PROPERTY (Continued)

d) The purchase of any lands or interests in lands within the boundary of the Nation's reservation.

In order to observe the limitations placed on the land and ultimately on the timber proceeds, the North Boundary Fiduciary Fund was established in 1989. The fund is used to account for the initial recording of the 12,000 acre contribution, which was valued by the Nation at $32,769,300, and proceeds from the sale of timber from the 12,000 acres, and 45% of the proceeds from the harvest of timber on the 5,460 acres. The fund also accounts for expenditures properly allocable to the fund.

The initial value of the North Boundary property was determined by management based on estimated harvestable timber, domestic log values and an estimate of future regeneration values for the land discounted to current value using a 6% discount rate. Amounts received from the harvest of timber on the 5,460 acres are recorded when received.

The Nation uses the Quinault Land and Timber Enterprise ("QLTE"), an Enterprise operation of the Quinault Indian Nation, to manage, harvest and sell timber from the North Boundary property. Substantially all revenues recorded within the North Boundary fund during the year ended September 30, 1998 relate to purchases of timber by the QLTE.

The North Boundary fund has an interfund liability account to the general fund arising from prior year land purchases in excess of net income. Due to the likelihood that this interfund borrowing will not be repaid in the immediate future, but rather as funds become available from the harvest of North Boundary timber, a portion of the General Fund's fund balance equal to the outstanding interfund borrowing is considered reserved in the accompanying financial statements. Future timber sales from the North Boundary property are expected to provide sufficient funding to eliminate the North Boundary fund's deficit fund balance.

NOTE 9 - SUPPORT FROM GOVERNMENTAL UNITS

The Nation receives substantially all of its support for the special revenue fund from federal and state governments. A severe reduction in the level of this support, if this were to occur, may have a significant effect on the Nation's special revenue programs and activities.

NOTE 10 - RETIREMENT PLAN

On July 1, 1997, the Nation adopted the Quinault Indian Nation 401(k) Plan, a defined contribution plan, whereby the employees of the Nation and component units may defer up to 15% of their salary and the Nation may elect to make discretionary contributions. The Nation contributed an amount equal to two times the employee's elective contributions not to exceed 5% of the participants' total compensation for the year ended September 30, 1998. The Nation's contributions to the plan for the year ended September 30, 1998 were approximately $295,000. All employees who have completed one year of service and who have attained the age of eighteen are eligible to participate in the plan. The Nation's contributions are vested 100% after seven years of employment. The plan assets are reported as investments held in trust and are recorded at fair market value. The plan is accounted for as an agency type fund within the fiduciary fund types on the balance sheet. Contributions are funded currently.

NOTE 10 - RETIREMENT PLAN (Continued)

The assets of the Quinault Profit Sharing Plan funded in previous years and through the date of the adoption of the 401(k) Plan were transferred during September 1997 into the newly adopted 401(k) Plan.

The following is a summary of the changes in the 401(k) Plan's assets which are invested in mutual funds administered by Bisys Plan Services, Inc.

Balance, September 30, 1997	$ 1,150,350
Employee and employer contributions	1,046,530
Plan earnings and increase in market value	63,363
Withdrawals	(105,004)
Balance, September 30, 1998	$ 2,155,239

NOTE 11 - DEFERRED COMPENSATION PLAN

The Nation administers a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan permitted the employees to defer a portion of their salary until future years. After July 1, 1997, all salary deferrals were made through the Nation's 401(k) Plan. The deferred compensation is not available to employees until termination, retirement, death or unforeseeable emergency.

All amounts deferred under the plan and all income attributable to those amounts are funded and invested in a separate trust fund. The investments are valued at fair value.

The financial statements at September 30, 1998 include $586,389 of plan assets and liabilities recorded in an agency fund. This agency fund is included in the fiduciary fund types on the balance sheet.

NOTE 12 - CAPITAL PROJECTS FUND

At September 30, 1998, the following projects were in process:

	Queets Store	Administration Building Phase II	Total
Construction in progress, October 1, 1997	$ 415,898	$ 225,983	$ 641,881
Additional costs during the year	233,762	3,251,813	3,485,575
Transfer to Queets Trading Post	(649,660)	-	(649,660)
	$ -	$ 3,477,796	$ 3,477,796
Estimated total project costs at completion		$ 4,200,000	$ 4,200,000

NOTE 13 - LEASES

The Nation entered into a 25 year lease agreement in July 1997 for land in Grays Harbor County, Washington, to be used for a proposed development. The lease provides for an annual rental of $102,000 through the fifth year of the lease. Rental rates for subsequent years will be adjusted based on an appraisal process, as prescribed by federal regulations in 25 CFR, Section 162.8. Guaranteed minimum rental payments under the lease agreement are as follows:

Year Ending September 30,	
1999	$ 102,000
2000	102,000
2001	102,000
2002	76,500
Subsequent years (subject to appraisal)	-
Total	$ 382,500

NOTE 14 - YEAR 2000 ISSUE

The Year 2000 issue is the result of some computer programs being written using two digits rather than four to define the applicable year. Certain of the Nation computer programs that have date-sensitive software may recognize a date using "00" as the year 1900 rather than the year 2000. In addition, certain hardware components may not function properly as the year 2000 approaches. This could result in a system failure or miscalculations causing disruptions of operations including, among other things a temporary inability to process transactions, send invoices, or engage in similar normal business activities.

Management is in the process of reviewing the primary government's computer software programs, and hardware components, and believes that any costs to be incurred to ensure its systems are Year 2000 complaint will not be significant. However the Nation has not completed an assessment of its other systems and subsystems, including those of vendors, customers, granting agencies and other third parties. Until a complete assessment is made, the Nation is unable to estimate the expense to be incurred in the implementation of full year 2000 compliance or the remediation of any affects on operations related to non-compliance.

NOTE 15 - SUBSEQUENT EVENTS

In October 1998, the Nation received a $5,000,000 bond anticipation bridge loan from Key Bank to provide bridge financing for construction and equipping of Tribal lodge, convention center and related facilities on 125 acres of ocean beach property north of Ocean Shores, Washington. The loan is unsecured, however the Nation has agreed to refrain from pledging $5,000,000 of cash and investments against other debt. The bridge loan is due six months from closing. The interest rate is variable at the bank's prime rate or the LIBOR rate plus 200 points for thirty, sixty or ninety day periods.

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Business Committee Members
Quinault Indian Nation

We have audited the primary government financial statements of Quinault Indian Nation as of and for the year ended September 30, 1998, and have issued our report thereon dated February 17, 1999. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

COMPLIANCE

As part of obtaining reasonable assurance about whether the Quinault Indian Nation's primary government financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

INTERNAL CONTROL OVER FINANCIAL REPORTING

In planning and performing our audit, we considered the primary government of Quinault Indian Nation's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

However, we noted other matters involving the internal control structure and its operation that we have reported to the management of Quinault Indian Nation in a separate letter dated February 17, 1999.

This report is intended for the information of the Business Committee, management and federal awarding agencies and pass-through entities. However, this report is a matter of public record and its distribution is not limited.

Moss Adams LLP

Bellingham, Washington
February 17, 1999

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

To the Business Committee Members
Quinault Indian Nation

COMPLIANCE

We have audited the compliance of the primary government of Quinault Indian Nation with the types of compliance requirements described in the *U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended September 30, 1998. Quinault Indian Nation's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of Quinault Indian Nation's management. Our responsibility is to express an opinion on Quinault Indian Nation's compliance based on our audit.

We conducted our audit of compliance in accordance with generally accepted auditing standards; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Quinault Indian Nation's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on Quinault Indian Nation's compliance with those requirements.

In our opinion, Quinault Indian Nation complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended September 30, 1998.

INTERNAL CONTROL OVER COMPLIANCE

The management of Quinault Indian Nation is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered Quinault Indian Nation's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133.

Our consideration of the internal control over compliance would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that noncompliance with

applicable requirements of laws, regulations, contracts and grants that would be material in relation to a major federal program being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over compliance and its operation that we consider to be material weaknesses.

This report is intended for the information of the Business Committee, management and federal awarding agencies and pass-through entities. However, this report is a matter of public record and its distribution is not limited.

Moss Adams LLP

Bellingham, Washington
February 17, 1999

QUINAULT INDIAN NATION
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
September 30, 1998

I. SUMMARY OF AUDITOR'S RESULTS

FINANCIAL STATEMENTS

Type of auditor's report issued: Unqualified

Internal control over financial reporting:

- Material weakness(es) identified? ☐ Yes ☒ No
- Reportable condition(s) identified that are not considered to be material weaknesses? ☐ Yes ☒ None reported

Non-compliance material to financial statements noted? ☐ Yes ☒ No

FEDERAL AWARDS

Internal control over major programs:

- Material weakness(es) identified? ☐ Yes ☒ No
- Reportable condition(s) identified that are not considered to be material weakness(es)? ☐ Yes ☒ None reported

Type of auditor's report issued on compliance for major programs: Unqualified

Any audit findings disclosed that are required to be reported in accordance with section 510(a) of Circular A-133. ☐ Yes ☒ No

IDENTIFICATION OF MAJOR PROGRAMS

CFDA Numbers	*Name of Federal Program or Cluster*
15.022	Department of the Interior - Self Governance
15.022	Department of the Interior - Forest Management Deductions (Program Income)
93.210	Department of Health and Human Services - Self Governance
93.600	Department of Health and Human Services - Headstart
10.769	Department of Agriculture - Rural Business Enterprise

Dollar threshold used to distinguish between type A and type B programs: $ 437,400

Auditee qualified as low-risk auditee? ☐ Yes ☒ No

II. FINDINGS RELATED TO FINANCIAL STATEMENTS WHICH WERE REQUIRED TO BE REPORTED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

No findings are reported in this section.

III. FINDINGS AND QUESTIONED COSTS FOR FEDERAL AWARDS

No findings are reported in this section.

QUINAULT INDIAN NATION
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
September 30, 1998

The following were reported as Findings in the Nation's audit for the year ended September 30, 1997.

FINDING 97-1 - FEDERAL REPORTING

We found that three financial reports for a major program were not filed in a timely manner during the year.

Status at September 30, 1998: No instances of this finding were reported in the audit for the year ended September 30, 1998.

FINDING 97-2 - RECONCILIATION OF PHYSICAL INVENTORY OF FIXED ASSETS

We found that the Nation did not reconcile its inventory of property and equipment to the accounting records at least once every two years as required by Federal regulations.

Status at September 30, 1998: The Nation corrected this deficiency during the year ended September 30, 1998.

SUPPLEMENTAL INFORMATION

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND EQUITY
GOVERNMENTAL AND FIDUCIARY FUND TYPES
Year Ended September 30, 1998

	Governmental Fund Types			Fiduciary Fund Type	Totals
	General	Special Revenue	Capital Projects	Non-Expendable Trust	(Memorandum Only)
REVENUES					
Contracts and grants	$ -	$ 15,341,912	$ 3,251,813	$ -	$ 18,593,725
Indirect	5,156,756	-	-	-	5,156,756
Timber sales	1,820,459	-	-	1,448,045	3,268,504
Patient services	-	822,596	-	-	822,596
Investment income	742,032	-	-	23,549	765,581
Casino administration	333,977	-	-	-	333,977
Other	121,228	86,756	-	29,292	237,276
Use allowance	166,028	-	-	-	166,028
Licenses and permits	79,982	-	-	-	79,982
Taxes and fines	65,581	-	-	-	65,581
Gravel sales	49,845	-	-	-	49,845
Lease	20,944	-	-	-	20,944
Total revenues	8,556,832	16,251,264	3,251,813	1,500,886	29,560,795
EXPENDITURES					
Capital expenditures	6,157,151	414,629	3,485,575	-	10,057,355
Salaries and wages	3,006,074	4,969,012	-	21,215	7,996,301
Indirect	39,327	5,084,628	-	32,802	5,156,757
Fringe benefits	743,306	1,174,227	-	4,915	1,922,448
Clinical providers	-	1,253,676	-	-	1,253,676
Contract services	353,012	736,559	-	-	1,089,571
Use allowance and depletion	166,028	-	-	673,239	839,267
Supplies	235,989	538,688	-	1,536	776,213
Loan payments	692,265	-	-	-	692,265
Professional fees	259,175	293,040	-	1,475	553,690
Rent/lease	181,283	344,148	-	970	526,401
Planting contracts and regeneration costs	-	-	-	522,147	522,147
Assistance payments	-	516,110	-	-	516,110
Travel	252,952	150,615	-	1,350	404,917
Non-capitalized equipment	152,607	221,668	-	10,744	385,019
Interest	167,221	-	-	137,495	304,716
Telephone and utilities	285,581	-	-	-	285,581
Pass through	52,322	170,125	-	-	222,447
Repairs and maintenance	140,085	68,886	-	8,821	217,792
Tuition, stipends, and scholarships	3,825	199,886	-	-	203,711
Freight and insurance	134,572	-	-	-	134,572
Forest management deductions	-	-	-	128,163	128,163
Training	45,080	69,118	-	-	114,198
Printing and postage	86,111	(1,968)	-	-	84,143
Miscellaneous	51,653	5,535	-	-	57,188
Gas and oil	15,829	41,066	-	-	56,895
Taxes and licenses	31,264	11,892	-	3,556	46,712
Contributions	44,160	-	-	-	44,160
Board member fees	40,725	-	-	-	40,725
Advertising	23,044	9,359	-	130	32,533
Dues and subscriptions	19,125	4,031	-	-	23,156
Bad debts	6,561	-	-	-	6,561
Total expenditures	13,386,327	16,274,930	3,485,575	1,548,558	34,695,390
REVENUES OVER (UNDER) EXPENDITURES	(4,829,495)	(23,666)	(233,762)	(47,672)	(5,134,595)
OTHER FINANCING SOURCES (USES)					
Loan proceeds	2,581,654	-	-	-	2,581,654
Operating transfers in	752,331	257,428	233,762	-	1,243,521
Transfer from general fixed asset account group	649,660	-	-	-	649,660
Land purchased by North Boundary	506,779	-	-	-	506,779
Operating transfers out	(257,428)	(233,762)	-	(506,779)	(997,969)
Total other financing sources (uses), net	4,232,996	23,666	233,762	(506,779)	3,983,645
REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES	(596,499)	-	-	(554,451)	(1,150,950)
FUND BALANCE (DEFICIT), beginning of the year	34,392,627	-	-	(6,115,448)	28,277,179
RESIDUAL EQUITY TRANSFER	(649,660)	-	-	-	(649,660)
FUND BALANCE (DEFICIT), end of the year	$ 33,146,468	$ -	$ -	$ (6,669,899)	$ 26,476,569

QUINAULT INDIAN NATION

SCHEDULE OF GENERAL FUND EXPENDITURES

Year Ended September 30, 1998

	General Government	Natural Resource Development	Health and Welfare	Public Safety	Planning and Development	Education	Sanitation	Total
Capital expenditures	$ 6,157,151	$ -	$ -	$ -	$ -	$ -	$ -	$ 6,157,151
Salaries and wages	1,374,658	459,423	467,685	53,241	157,809	64,679	428,579	3,006,074
Indirect	39,327	-	-	-	-	-	-	39,327
Fringe benefits	328,777	100,718	120,021	11,133	34,780	18,163	129,714	743,306
Contract services	338,249	-	-	-	14,763	-	-	353,012
Use allowance and depletion	166,028	-	-	-	-	-	-	166,028
Supplies	140,559	13,108	24,344	5,110	6,737	556	45,575	235,989
Loan payments	692,265	-	-	-	-	-	-	692,265
Professional fees	224,036	736	31,606	-	2,427	-	370	259,175
Rent/lease	91,795	57,263	25,221	897	4,295	62	1,750	181,283
Travel and training	195,158	22,322	18,772	1,275	4,376	4,320	6,729	252,952
Non-capitalized equipment	52,818	25,897	44,072	7,540	8,071	-	14,209	152,607
Interest	167,221	-	-	-	-	-	-	167,221
Telephone and utilities	279,016	498	5,988	79	-	-	-	285,581
Pass through	52,322	-	-	-	-	-	-	52,322
Repairs and maintenance	80,860	-	10,475	6,027	943	-	41,780	140,085
Tuition, stipends, and scholarships	3,825	-	-	-	-	-	-	3,825
Freight and insurance	134,572	-	-	-	-	-	-	134,572
Training	24,030	7,871	6,373	606	2,590	1,695	1,915	45,080
Printing and postage	70,802	680	14,023	-	548	58	-	86,111
Miscellaneous	48,391	-	2,991	-	-	271	-	51,653
Gas and oil	6,556	17	2,223	436	-	-	6,597	15,829
Taxes and licenses	30,091	20	125	85	582	-	361	31,264
Contributions	44,160	-	-	-	-	-	-	44,160
Board member fees	40,710	-	-	-	-	15	-	40,725
Advertising	12,832	203	3,972	3,613	2,309	-	115	23,044
Dues and subscriptions	17,242	120	991	42	443	287	-	19,125
Bad debts	6,561	-	-	-	-	-	-	6,561
Total expenditures	$ 10,820,012	$ 688,876	$ 778,882	$ 90,084	$ 240,673	$ 90,106	$ 677,694	$ 13,386,327

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINING BALANCE SHEET - FIDUCIARY FUND TYPES
September 30, 1998

	North Boundary	Deferred Compensation Plan	401(k) Plan	Total
ASSETS				
Cash and cash equivalents	$ 520,722	$ -	$ -	$ 520,722
Investments	-	583,706	-	583,706
Investments held in trust	-	-	2,078,523	2,078,523
Due from other funds	-	-	74,831	74,831
Due from component units	-	-	1,885	1,885
Accounts receivable	-	2,683	-	2,683
Property and equipment, net	25,872,231	-	-	25,872,231
TOTAL ASSETS	$ 26,392,953	$ 586,389	$ 2,155,239	$ 29,134,581
LIABILITIES AND RETAINED EARNINGS				
Due to other funds	$ 31,124,962	$ 10,496	$ -	$ 31,135,458
Due to component units	1,782,231	-	-	1,782,231
Deferred revenues	155,659	46,297	-	201,956
Deferred retirement benefits	-	-	2,155,239	2,155,239
Deferred compensation payable	-	529,596	-	529,596
TOTAL LIABILITIES	33,062,852	586,389	2,155,239	35,804,480
RETAINED EQUITY (DEFICIT)	(6,669,899)	-	-	(6,669,899)
TOTAL LIABILITIES AND FUND EQUITY	$ 26,392,953	$ 586,389	$ 2,155,239	$ 29,134,581

QUINAULT INDIAN NATION
(Component Units Not Included)
COMBINING STATEMENT OF REVENUES AND EXPENDITURES
SPECIAL REVENUE FUNDS AND CAPITAL PROJECTS FUND
Year Ended September 30, 1998

	Revenues	Salaries	Fringe Benefits	Travel and Training	Capital Expenditures	Supplies	Contract Services	Scholarships, Assistance, & Pass through	Lease	Indirect	Other Expenses	Total Expenditures	Revenues Over (Under) Expenditures	Transfers In (Out)
DEPARTMENT OF INTERIOR														
Office of Self Governance														
Self Governance	$ 11,447,823	$ 2,848,019	$ 685,710	$ 90,294	$ 3,263,508	$ 390,500	$ 313,241	$ 579,636	$ 259,463	$ 2,874,145	$ 58,307	$ 11,362,823	$ 85,000	$ (85,000)
Bureau of Indian Affairs														
Forest Management Deductions	962,267	233,509	62,151	3,160	157,495	25,735	238,295	-	75	234,430	7,417	962,267	-	-
Moclips-Olympic Highway	89,880	47,145	7,897	-	-	5,765	-	-	28,973	-	100	89,880	-	-
Tribal Transportation	79,845	-	-	4,850	-	10,493	54,790	-	-	9,712	-	79,845	-	-
Fire Suppression	75,324	63,357	11,177	187	-	-	-	-	603	-	-	75,324	-	-
Forest Land Assistance	15,899	-	-	-	-	-	9,761	-	-	6,178	-	15,939	(40)	40
U.S. Fish and Wildlife Service														
Northern Boundary Land Exchange	144,786	-	-	-	-	-	144,786	-	-	-	-	144,786	-	-
Chehalis Fish Restoration	40,017	22,775	1,725	-	-	5	-	-	-	15,512	-	40,017	-	-
DEPARTMENT OF HEALTH AND HUMAN SERVICES														
Indian Health Services Self Governance	5,008,789	1,308,312	283,382	78,372	63,546	218,227	1,421,113	-	25,485	1,589,017	21,335	5,008,789	-	-
Headstart	304,058	131,118	41,403	10,521	62,129	22,273	2,916	-	40	31,556	2,102	304,058	-	-
Senior Citizen Nutrition	65,000	63,023	17,490	6,614	-	17,267	-	-	5,838	69,783	10	180,025	(115,025)	115,025
Childcare and Development Block Grant	68,528	-	-	-	-	-	-	68,528	-	-	-	68,528	-	
Childcare and Development Block Grant	14,223	-	-	-	-	-	-	14,223	-	-	-	14,223	-	-
Low Income Home Energy Assistance	45,220	3,177	2,292	133	-	-	-	38,561	-	3,546	-	47,709	(2,489)	2,489
Child Welfare	4,604	-	253	2,669	-	-	-	-	-	1,850	-	4,772	(168)	168
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT														
Home Program	54,078	-	-	-	54,000	-	-	-	48	30	-	54,078	-	-
DEPARTMENT OF AGRICULTURE														
Rural Business Enterprise (Queets Store)	150,716	-	-	2,252	233,762	13,228	-	-	-	10,529	1,153	260,924	(110,208)	110,208
Fifth Avenue Mall	62,284	-	-	-	-	26,610	35,524	-	-	16,844	-	78,978	(16,694)	16,694
Food Distribution Program	33,453	12,629	3,876	3,919	-	-	-	-	152	13,025	-	33,601	(148)	148
Meal Reimbursement	12,811	-	-	-	-	12,811	-	-	-	-	-	12,811	-	-
Passed through the State of Washington														
Women, Infant & Child	18,512	10,490	4,082	219	-	745	-	-	549	10,278	151	26,514	(8,002)	8,002
Child and Adult Care Food Program	26,311	-	-	-	-	26,311	-	-	-	-	-	26,311	-	-
Summer Food Program	5,412	2,224	358	-	-	4,276	-	-	-	4,342	-	11,200	(5,788)	5,788
ENVIRONMENTAL PROTECTION AGENCY														
Coordinated Water Quality Program	159,618	57,780	13,352	3,700	-	6,744	15,200	-	5,945	55,981	916	159,618	-	-
Tribal Quality	11,739	6,300	904	-	-	-	-	-	-	4,561	-	11,765	(26)	26
Tribal Watershed Analysis	1,615	-	-	-	-	989	-	-	-	626	-	1,615	-	-
FEDERAL EMERGENCY MANAGEMENT AGENCY														
Disaster Recovery	-	-	-	-	-	-	-	-	2,281	1,819	594	4,694	(4,694)	4,694
DEPARTMENT OF COMMERCE														
Economic Development Planning	38,364	31,907	8,358	609	-	-	-	-	-	-	-	40,874	(2,510)	2,510
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION														
Tribal Employment Rights Ordinance	25,000	53,051	13,535	2,476	-	294	-	-	3,030	46,014	307	118,707	(93,707)	93,707
DEPARTMENT OF LABOR														
Passed through Western Washington Indian Education and Training Program-Weatherization	4,042	-	-	-	-	-	-	-	-	1,567	2,475	4,042	-	-
OTHER														
Foster Care	275,183	-	-	-	-	-	-	185,173	-	-	-	185,173	90,010	(90,010)
Child Protective Services	73,917	52,409	13,110	7,446	-	3,028	-	-	27	48,121	-	124,141	(50,224)	50,224
Pedestrian System	65,764	-	-	-	65,764	-	-	-	-	-	-	65,764	-	-
Ocean Shores Marina	50,000	-	-	385	-	-	44,779	-	-	-	4,836	50,000	-	-
Indian Child Welfare Capacity Study	24,194	13,410	2,084	1,927	-	7,224	-	-	-	15,600	-	40,245	(16,051)	16,051
Zeigler Creek Spawning	20,397	-	-	-	-	1,192	2,000	-	11,600	9,363	-	24,155	(3,758)	3,758
Clearwater Habitat	19,286	4,522	642	-	-	5,737	870	-	39	7,476	-	19,286	-	-
Headstart	4,118	3,855	446	-	-	-	-	-	-	2,723	-	7,024	(2,906)	2,906
Totals	$ 19,503,077	$ 4,969,012	$ 1,174,227	$ 219,733	$ 3,900,204	$ 799,454	$ 2,283,275	$ 886,121	$ 344,148	$ 5,084,628	$ 99,703	$ 19,760,505	$ (257,428)	$ 257,428

QUINAULT INDIAN NATION
(Component Units Not Included)
SCHEDULE OF EXPENDITURES OF FEDERAL AND NON-FEDERAL AWARDS
Year Ended September 30, 1998

	Federal CFDA Number	Grant Identification Number	Total Award	Deferred Revenue 9/30/97	Unexpended 9/30/97	1998 Award	Expenditures	Other (Note 2)	Unexpended 9/30/98	Deferred Revenue 9/30/98
DEPARTMENT OF INTERIOR										
Office of Self Governance										
Self Governance*	15.022	GTP06T11701	$ 73,527,313	$ 2,266,805	$ -	$ 9,676,561	$ 11,362,823	$ 1,756	$ 292,879	$ 289,420
Bureau of Indian Affairs										
Forest Management Deductions* (Program Income)	15.022	X-BIA-5351	3,069,777	-	428,547	1,858,066	962,267	-	1,324,346	-
Moclips-Olympic Highway	15.033	CTP06T11702	138,797	-	88,275	50,522	89,880	-	48,917	-
Tribal Transportation	15.033	CTP06T11701	83,675	-	83,675	-	79,845	-	-	3,830
Fire Suppression	15.031	GTP06T11704	665,324	-	-	75,324	75,324	-	-	-
Forest Land Assistance	15.035	N/A	15,899	-	-	15,899	15,939	40	-	-
Forest Management Inventory	15.035	GTP06T11705	-	62,538	32,300	20,900	-	-	20,900	94,838
Bureau of Reclamation										
Taholah Water	15.504	1425-7-FC-10-02930	50,000	-	50,000	-	-	-	19,439	30,561
U.S. Fish and Wildlife Service										
Northern Boundary Land Exchange	15.608	134108J429	144,786	-	-	144,786	144,786	-	-	-
Chehalis Fish Restoration	15.608	14-16-1-91657	188,680	-	119,803	-	40,017	-	79,786	-
Passed through Northwest Indian Fish Commission										
Coho Production Evaluation	15.039	3715	144,100	-	860	-	-	-	860	-
Coho Supplementation	15.039	3716	52,890	-	4	-	-	-	4	-
Total Department of Interior				2,329,343	803,464	11,842,058	12,770,881	1,796	1,787,131	418,649
DEPARTMENT OF HEALTH AND HUMAN SERVICES										
Indian Health Services Self Governance*	93.210	ISG950022-01-6	18,762,472	1,840,066	6,761	4,733,265	5,008,789	822,596	(4,639)	2,398,538
Headstart 1998*	93.600	90CI0496/29	264,741	-	-	264,741	205,243	-	59,498	-
Headstart 1997*	93.600	90CI0496/28	338,370	-	115,736	-	98,815	-	16,921	-
Senior Citizen Nutrition	10.570	98IOWA2689	65,000	-	-	65,000	180,025	115,025	-	-
Childcare and Development Block Grant	93.575	G98IUWACCDF	82,305	-	-	82,305	68,528	-	13,777	-
Childcare and Development Block Grant	93.575	G97IUWACONT	89,000	-	-	89,000	-	-	89,000	-
Childcare and Development Block Grant	93.575	G97IUWACCDF	68,282	-	14,223	-	14,223	-	-	-
Childcare and Development Block Grant	93.575	G95IUWACARE	98,507	-	16	-	-	-	16	-
Low Income Home Energy Assistance	93.568	G98IJWALIEA	44,391	-	829	44,391	47,709	2,489	-	-
Child Welfare	93.658	G9701WA1509	7,249	-	4,190	-	4,358	168	-	-
Child Welfare	93.658	G981WA1509	7,356	-	-	7,356	414	-	6,942	-
Taholah Outfall Replacement	93.xxx	PO-98-848	35,000	-	-	35,000	-	-	35,000	-
Diabetes	93.237	64HD00025-01	42,108	-	-	42,108	-	-	-	42,108
Total Department of Health and Human Services				1,840,066	141,755	5,363,166	5,628,104	940,278	216,515	2,440,646
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT										
Home Program	14.239	M96-IG970001	818,570	-	818,570	-	54,078	-	764,492	-
Recovery House	14.862	B96SR530015	320,000	-	320,000	-	-	-	320,000	-
Total Department of Housing and Urban Development				-	1,138,570	-	54,078	-	1,084,492	-
Balance carried forward				$ 4,169,409	$ 2,083,789	$17,205,224	$ 18,453,063	$ 942,074	$ 3,088,138	$ 2,859,295

QUINAULT INDIAN NATION
(Component Units Not Included)
SCHEDULE OF EXPENDITURES OF FEDERAL AND NON-FEDERAL AWARDS
Year Ended September 30, 1998

	Federal CFDA Number	Grant Identification Number	Total Award	Deferred Revenue 9/30/97	Unexpended 9/30/97	1998 Award	Expenditures	Other (Note 2)	Unexpended 9/30/98	Deferred Revenue 9/30/98
Balance brought forward				$ 4,169,409	$ 2,083,789	$17,205,224	$ 18,453,063	$ 942,074	$ 3,088,138	$ 2,859,295
DEPARTMENT OF AGRICULTURE										
Farmers' Home Administration - Rural Business Enterprise (Queets Store)*	10.769	56-14-910760952	$ 566,850	-	150,716	-	260,924	110,208	-	-
Fifth Avenue Mall	10.670	WANW-96035	75,000	-	62,284	-	78,978	16,694	-	-
Food Distribution Program	10.567	FD-7-1-QUIN	33,453	-	-	33,453	33,601	148	-	-
Meal Reimbursement	10.570	7F7087-004	12,811		-	12,811	12,811	-	-	-
Meal Reimbursement	10.570	7F7087-004	10,020	-	492	-	-	-	492	-
Passed through State of Washington										
Women, Infant and Child	10.557	N07297	17,235	-	-	17,235	18,705	1,470	-	-
Women, Infant and Child	10.557	1651-05057	16,381	-	1,277	-	7,809	6,532	-	-
Women, Infant and Child	10.557	1651-05057	29,127	-	240	-	-	-	240	-
Child and Adult Care Food Program	10.570		26,311	-	-	26,311	26,311	-	-	-
Summer Food Program	10.570	14-874	5,412	-	-	5,412	11,200	5,788	-	-
Total Department of Agriculture				-	215,009	95,222	450,339	140,840	732	-
ENVIRONMENTAL PROTECTION AGENCY										
Coordinated Water Quality Program	66.926	GA990959-01-0	165,000	-	-	165,000	159,618	-	5,382	-
Water Quality General Assistance Program	66.926	GA990787010	89,231	-	11,739	-	11,765	26	-	-
Water Quality General Assistance Program	66.926	GA990809010	75,000	-	40,550	-	1,615	-	38,935	-
Wetland Protection Policy	66.461	CD-9803388-01-0	25,695	-	-	25,695	-	-	25,695	-
Total Environmental Protection Agency				-	52,289	190,695	172,998	26	70,012	-
FEDERAL EMERGENCY MANAGEMENT AGENCY										
Disaster Recovery	83.516	027-57080	73,699	10	3,437	-	4,694	4,694	3,437	10
DEPARTMENT OF COMMERCE										
Economic Development Planning	11.302	07-05-15030-98	37,000	-	-	37,000	21,681	-	15,319	-
Economic Development Planning	11.302	07-05-15030-97	37,000	-	16,683	-	19,193	2,510	-	-
Total Department of Commerce				-	16,683	37,000	40,874	2,510	15,319	-
EQUAL EMPLOYMENT OPPORTUNITY COUNCIL										
Tribal Employment Rights Ordinance	30.009	7-5010-0139	25,696	-	-	25,696	118,707	93,707	696	-
DEPARTMENT OF LABOR										
Passed through Western Washington Indian Education and Training Program-Weatherization	17.751	-	31,121	-	-	31,121	4,042	-	27,079	-
TOTAL FEDERAL FINANCIAL AWARDS				$ 4,169,419	$ 2,371,207	$17,584,958	$ 19,244,717	$ 1,183,851	$ 3,205,413	$ 2,859,305

QUINAULT INDIAN NATION
(Component Units Not Included)
SCHEDULE OF EXPENDITURES OF FEDERAL AND NON-FEDERAL AWARDS
Year Ended September 30, 1998

	Federal CFDA Number	Grant Identification Number	Total Award	Deferred Revenue 9/30/97	Unexpended 9/30/97	1998 Award	Expenditures	Other (Note 2)	Unexpended 9/30/98	Deferred Revenue 9/30/98
Total Federal Financial Awards brought forward				$ 4,169,419	$ 2,371,207	$17,584,958	$ 19,244,717	$ 1,183,851	$ 3,205,413	$ 2,859,305
NON-FEDERAL AWARDS - WASHINGTON STATE										
Emergency Food Program	-	S98-32000-046	$ 9,629	-	-	9,629	-	-	9,629	-
Pedestrian System	-	-	339,090	-	188,739	-	65,764	-	73,998	48,977
Headstart	-	S98-33500-051	4,280	-	-	4,280	7,024	2,906	162	-
Foster Care	-	910760952	275,183	-	-	275,183	185,173	(90,010)	-	-
Child Protective Services	-	910760952/8409	157,515	-	52,899	78,758	124,141	50,224	57,740	-
Ocean Shores Marina	-	F95-76095-041	50,000	-	-	50,000	50,000	-	-	-
Indian Child Welfare Capacity Study	-	899-110197-899	24,194	-	-	24,194	40,245	16,051	-	-
Zeigler Creek Spawning	-	58190113	20,397	-	-	20,397	24,155	3,758	-	-
Clearwater Habitat	-	58190119	61,339	-	-	61,339	19,286	-	42,053	-
Total non-federal awards				-	241,638	523,780	515,788	(17,071)	183,582	48,977
TOTALS				$ 4,169,419	$ 2,612,845	$18,108,738	$ 19,760,505	$ 1,166,780	$ 3,388,995	$ 2,908,282

• Denotes Major Programs

QUINAULT INDIAN NATION
NOTES TO SCHEDULE OF EXPENDITURES OF
FEDERAL AND NON-FEDERAL AWARDS
September 30, 1998

NOTE 1 - BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal and non-federal awards includes the grant activity of the Quinault Indian Nation and is presented on the modified accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

NOTE 2 - OTHER COLUMN

Other revenues and expenditures consists of the following:

Patient service fees	$	822,596
Operating transfers in		257,428
Other program income		86,756
	$	1,166,780

NOTE 3 - OTHER FINANCIAL ASSISTANCE

See note 5 on page 13 for data regarding transfer from Indian Health Services of Queets Health Clinic to the Tribe's general fixed asset account group at market value of $110,200.

See note 7 on page 14 for data regarding Farmer's Home Administration long-term debt.

QUINAULT INDIAN NATION

Chapter 4

PROCUREMENT

4.0 The purchasing process begins at the program level when an employee initiates an order (PS-1) for goods or services they require to carry out their program responsibilities. From there, a requisition (form PS-2) is processed, approved, and sent to the Department of Administration (DOA). The requisition is reviewed by DOA and an Authorized Expenditure (A.E.) (PS-3) is issued to the vendor supplying the goods or services. Once the A.E. is confirmed by the supplier, the goods are shipped to QIN where they are received by DOA. As soon as the shipment has been verified as to what was ordered and its condition, the program ordering the goods is notified and they will receive their order by signing the Receipt of Material (PS-4). When the purchase invoice is received, it is matched against the Receipt of Material, Authorized Expenditure and Requisition. It then goes to the Accounting Department for immediate payment and the purchasing cycle is complete.

4.1 The purchasing cycle is divided into two areas of control:

A. Functions outside the D.O.A.

(a) Initiating order.

(b) Preparing, approving, and processing requisition.

B. Functions inside the D.O.A.

(a) Preparing, approving, and processing authorized expenditures.

(b) Preparing Receipt of Materials.

(c) Approving and processing vendor's purchase invoice.

4.2 To assure that the purchasing system substantiates continuity, maintains internal controls, and establishes accountability. The following policies have been adopted by the Business Committee:

A. Department directors are responsible for approving source documents originating in their department. Only the director has the authority to delegate this responsibility to another employee in their department by adhereing to the following procedure:

1. Any employee designated by a department director to approve source documents must be authorized by the Executive Committee.
2. An Authorization Signature Card must be completed and on file in the D.O.A.

B. If any goods or services are needed by any program person they may initiate a request to order those items required.

C. A requisition will only be approved by an authorized employee and only if the goods or services being ordered are:

(a) Essential to the program.

(b) In a line item expense category of an approved budget.

(c) In compliance with all tribal, federal, and state procurement procedures.

(d) In compliance with terms of the program contract.

D. All departments will use standard source document forms.

E. Department directors may designate certain program employees who can contact vendors and make inquiries as to availability of goods or services, prices, terms, delivery, etc., but they cannot make any committment to purchase.

F. The D.O.A. is responsible for the approval of all authorized expenditures and must have Executive approval for any committment of funds:

(a) In excess of $1,000.

(b) Not in an approved budget.

(c) For a capital expenditure.

(d) For Personal Service Agreements.

The above mentioned procedures are outlined and explained as separate sections of the purchasing system. The source documents and other forms that are mentioned in these procedures are illustrated and explained in Appendix I. Appendix II is a Glossary of Terms in these procedures.

Section I - Initiating Order Procedure

Each employee is responsible for their job assignment and must be held accountable for completing these tasks. Many times supplies, tools, and services are necessary in order for those responsibilities to be carried out. Because of this an employee must be able to initiate an order to let their supervisor know of their needs.

Procedure:

1. Determine what goods or services are required.
2. Complete initial order form (PS-1) in duplicate as instructed.
3. After (PS-1) form is signed by the employee it is forwarded, the original to their immediate supervisor for approval, and the employee keeps the copy.
4. If the supervisor approves the order it is forwarded to the person responsible for initiating a requisition (PS-2).
5. If the supervisor disapproves the order a short explanation is written stating why the order was disapproved and is returned to the employee.

Section II - Ordering Procedure

Each department director is accountable for the programmic and administrative management of each program within their department. They have the responsibility to assure themselves that each program has the availability of necessary supplies, tools, and services and yet control unnecessary purchasing. They are able to do this by means of the Requisition.

A Requisition is a request to order goods or services required by a program. It is not a purchase committment. The Requisition is a document, when properly approved will control the internal ordering procedure within the Q.I.N. It is the authority that authorizes the DOA to place an order and commit tribal funds.

Procedures:

1. An initial order (PS-1) request is received by the designated person responsible for preparing the Requisition.
2. The initial order form (PS-1) is verified for:
   (a) Program number
   (b) Cost code number
   (c) C.O.A. number
   (d) Proper approval and compliance
3. The requisition person has been given the authority to contact various suppliers, and obtain prices, terms, and availability of goods or services. They document this information on the back of the I.O.F. or they use another work sheet. It is from this information that the supplier with the most competitive prices and most beneficial terms is then selected. This procudure is followed when requesting to order goods or services other than:
   (a) Those requiring a Contractual Agreement between the QIN and Contractor,
   (b) capital expenditures,
   (c) those requiring a Personal Service Agreement between the QIN and an individual,
   (d) sub-contracts for the construction of a permanent facility,
   (e) employees reimbursed expenses.

4. When all necessary information is obtained the Requisition Form (PS-2) is completed as instructed.

   Requisitions for:

   (a) Capital expenditures,

   (b) Contractual Agreements,

   (c) Personal Service Agreements,

   (d) construction sub-contracts,

   (e) employees reimbursements of expenses are completed per instructions when all of the procedures relating to these types of transactions have been completed as outlined under Other Procedures, Section VI.

5. When Form PS-2 is complete, it is attached to the Initial Order Form (PS-1) and all other work papers or documents pertinent to the Requisition are submitted for approval.

6. The person who approves the Requisition will determine before they sign it that all purchasing policies have been complied with and that the order should be placed and funds encumbered.

7. After the Requisition is either approved or disapproved it is returned to the person responsible for making requisitions.

8. If it has been disapproved it is voided and the person or program who initiated the order is notified accordingly.

9. If the Requisition is approved the pink copy is detached and retained by the requesting department. The original and yellow copies are attached to the initial order and supporting documents and then forwarded to the D.O.A.

Section III - Committing Funds Procedure

The Business Committee is responsible for the proper spending of all tribal funds. Because most obligations are incurred on account it is important that program funds be encumbered and budget line item amounts

be decreased accordingly. This will prevent the overspending of budgets and at the same time control what funds will be necessary to have on hand to meet current payables. It is important to be assured that only authorized program purchases are allowed, that funds are committed before goods and services are ordered, and that all tribal obligations are recorded. In order to control tribal committments a centralized purchasing office was established. No tribal funds can be committed unless that office approves an Authorized Expenditure Form (PS-3)

The Authorized Expenditure (PS-3) is a purchase order by which program goods and services are ordered. The authority by which an AE is issued is a properly approved Requisition (PS-2). The validity of the Requisition is evident by the proper authorized signature.

Although the AE is a purchase order it is also the source document that authorizes the committment of tribal funds. It is not the intention of the AE to hold up the purchasing process. Its purpose is to control each purchase transaction by committing funds only when they are available and then reduce the remaining balance by the amount of that transaction. This will control the over and under spending of budgets because it only allows the placing of that order after funds have been committed.

Procedures:

1. An approved Requisition (PS-2) is received in the purchasing office.
2. If it is not complete as to unit price, amount, and suggested vendor, then the purchasing clerk contacts various suppliers and obtains prices, terms, and availability of goods or services. This information is documented on the back of the Requisition or other work sheet. It is from this information that the supplier with the most competitive prices and most beneficial terms is selected. The Requisition is then completed as instructed.

3. As soon as the purchasing clerk has a completed Requisition and it has been approved they select the appropriate program budget file from the computer memory on their terminal screen. It will show the balance remaining to spend in each expense category.

   (a) If funds are available in the expense category which will be charged when this order is recorded then an AE is prepared as instructed.

   (b) If the budget expense category has a negative balance or if it would end up with a negative balance after posting this order then a determination must be made regarding a budget modification.

   (c) If an in-house modification can be made then an AE is completed as instructed and the modification is made.

   (d) If an in-house modification cannot be made then the Requisition is rejected until a modification is approved by the agency funding this program.

   (e) If the agency approves this modification then an AE is completed when its effective date is established but not until.

   (f) If the funding agency declines to modify the budget then the Requisition is voided and the yellow copy is retuned to the requesting department with the appropriated explanation. The original would be filed in the purchasing office in a "Voided Requisition" file.

4. When an AE (PS-3) is complete it is attached to the Requisition and submitted for approval.

5. The person authorized to approve the AE should be able to determine the validity of the order from the attached information. If there are any questions regarding the AE they must be resolved before the AE is signed.

6. The Authorized Expenditure is specifically reviewed to make sure that:

   (a) The order is clearly described and explained,

   (b) the accounting codes are correct,

   (c) the Requisition is properly approved.

7. The AE (PR-3) is then approved or disapproved and returned to the purcahsing clerk who then makes the determination to call the order in, have the requesting department call it in, or not to call it in.

   If it is called in then the AE should be marked "Confirming Phone Order" and signed by the person calling in the order. All AE's will be mailed to the vendor.

8. If the AE is disapproved, it is voided with an explanation as to why it was disapproved, before it is separated.

9. When void AE's are separated, all copies are destroyed, except:

   (a) The green copy is attached to a copy of the Requisition and returned to the requesting department with an explanation as to why the AE was voided.

   (b) The goldenrod copy is filed in the numerical file.

10. When the AE is separated, copies are sorted as follows:

   (a) The original is set aside into one group.

   (b) The green copy is set aside and sorted by program.

   (c) The yellow copy is attached to the original copy of the Requisition.

(d) The pink copy is attached to the yellow copy of the Requisition.

(e) The goldenrod copy is sorted numerically with the smallest number on top.

11. When the AE's have been segregated into appropriate stacks they are routed as follows:

(a) The originals are mailed to the vendors.

(b) The green copy is sent to the requesting department.

(c) The yellow copy is temporarily filed with the pink copy in the "Incompleted Order" file.

(d) The pink copy is filed in the "Incompleted Order" file alphabetically.

(e) The goldenrod copy is temporarily set aside until all other copies have been routed or filed.

12. After all copies have been disposed of the purchasing clerk takes the goldenrold copy and completes the AE Data Entry Form as per instructions.

13. When the AE Data Entry Form is completed, the purchasing clerk makes a copy of it and files that copy in the numerical copy file. The original is forwarded to the data entry clerk. The goldenrod copy is resorted numerically with the largest number on top and filed in the "AE Numerical File".

Section IV - Receipt of Goods and Services Procedure

When goods or services are ordered by the purchasing office a Contractual Agreement has been entered into between the supplier of those goods and services and the QIN. It is the committment of the supplier to deliver the goods or services and the committment of the QIN to pay the supplier the agreed upon price after the goods or services have been delivered. Therefore, it is important to make sure the receipt of

whatever has been ordered be documented as received before the suppliers invoice is paid. This is accomplished by establishing a Receipt of Goods and Services Procedure.

Goods and services must be received before a purchase invoice is paid and an expense recorded. Because goods are delivered differently than services the Receipt of Goods and Services Procedures have been divided into two parts:

1. Receipt of goods,
2. Receipt of services.

Goods are defined as tangible articles or commodities purchased from a supplier for use or consumption.

Services are defined as those things provided by an individual or business enterprise which, because of their efforts, benefit the QIN.

The following procedures apply to the receiving of all goods and services that when received will complete the order and when the supplier submits an invoice it will be paid with one check.

Procedure - Receipt of Goods

The procedure for the receipt of goods is subdivided in the following sections:

A. Goods delivered to a central location, tribal annex.
B. Goods delivered to program location.
C. Goods picked up at suppliers location.

A. Goods delivered to central location:

1. If goods are delivered by a freight company the receiving clerk will examine the condition of the cartons or items being delivered.
2. If the physical condition does not show any signs of damage then the number of units being delivered is verified to the freight bill.

3. If both the condition of the items and the number of units being delivered are okay then the freight bill is signed.
4. If there is apparent damage or missing units it is noted on the face of the freight bill and then it is signed by the receiving clerk.
5. When goods are delivered by UPS they are inspected in the same manner as if they were delivered by the freight company. The same procedures would apply except the receiving clerk would sign the UPS drivers delivery log instead of a freight bill. They would also physically open any damaged carton and inspect its contents.
   (a) If the items are damaged the shipment is refused. The driver is informed that the shipment should be retuned to the supplier and the receiving clerk will not sign the driver's delivery log. The purchasing clerk is informed that the order was received but returned to supplier because of damage. The purchasing clerk would then contact the supplier directing them to reship the order as soon as possible. No additional paper work is involved.
   (b) If only part of the items are damaged the shipment may be accepted by making appropriate notation on the drivers delivery log. The receiving clerk then signs the driver's delivery log. The purchasing clerk is notified of the damage and contacts the supplier. The supplier is instructed to reship the items damaged and to file a loss claim with UPS. This procedure does require that a new AE be made out to that supplier for the items damaged. That AE would be processed in the same way as if it were a back order.

6. When goods are received by mail they are delivered to the receiving clerk at the tribal annex by the person responsible for disbursing mail. If the item is damaged it is set aside, and the receiving clerk notifies the purchasing clerk to contact the supplier and inform them of the damage. The supplier is instructed to reship the order as soon as possible. There is no additional peper work required. The supplier will instruct the purchasing clerk how to handle the damaged items, either by returning or disposing of them. These instructions would then be out.

7. When goods are delivered directly by the supplier's own vehicle, each item being delivered, is checked off the packing list. If items are not there or are different than what is shown on the packing slip it is noted. When all items are checked in and all exceptions are properly noted the receiving clerk will sign the drivers delivery ticket. The clerk in this case is only signing for those items actually received and free of damage.

8. When goods have been delivered and suppliers delivery receipt has been signed by the receiving clerk it is checked in.

9. To check in goods which have been received the clerk opens all packages and cartons.

10. The contents are then examined for damage, that the items are in fact what was ordered and in the same quantities.

11. If the order is okay a Receipt of Material Form (PS-4) is completed as per instructions.

12. If they are not, the exceptions are noted on the packing slip or the Receipt of Material Form (PS-4), if there is no packing slip.

13. After the proper notations are made regarding damage, items or quantities, the Receipt of Material Form (PS-4) is completed as per instructions.

14. When the Receipt of Material Form (PS-4) is complete it is attached to all shipping documents relating to that order. (These documents will generally be only a packing slip but also referred to copies of freight bills, bills of lading, etc.).

15. The Receipt of Material Form (PS-4) is held in the "Orders Received" file until delivery is made of them to the requesting department.

16. The receiving clerk contacts the department requesting the goods and informs them that their order has been received from the supplier and at that time makes arrangements for it to be delivered or picked up.

17. When the goods are delivered to the appropriate place, an authorized program person will receive it and sign the Receipt of Material. The yellow copy is detached and given to the person receiving goods.

18. If an authorized program person picks up the order at the tribal annex the Receipt of Material (PS-4) is signed and the person picking up the goods receives the yellow copy.

19. After the goods have either been delivered or picked up the Receipt of Material Form (PS-4) along with all shipping documents is forwarded to the purchasing clerk.

20. The purchasing clerk matches the Receipt of Material (PS-4) with the AE which is in the "Incomplete Order" file. It is then attahced to the yellow and pink copy of the AE. It stays here until the suppliers invoice is received.

21. If any item is back ordered by the supplier or if items ordered are shipped short the purchasing clerk will:

    (a) Contact the requesting department and see if the items not shipped are still needed,

    (b) contact the supplier and inform them of how to handle the back orders or short shipments.

22. If the items that are short are to be back ordered then a new AE is issued for those items.

23. When the new AE is issued the purchasing clerk make a bold notation on the face of the new AE.

    BACK ORDERED FROM A.E.#_____

    At the same time the clerk make a cross reference note on the yellow and pink copies of the original AE.

    BACK ORDER SEE A.E.#_____

24. If it is necessary to contact the supplier for any reason, that is done before the purchasing clerk submits the AE for approval.

25. If it is disapproved it is voided and the same procedures apply as if it was for any other voided AE.

26. If it is approved, the same procedures would apply as if it were an ordinary AE, except that a copy of the shipping document showing the short items would be attached to the same AE copies that the copies of the requisitions are attached to, then the original backorder AE is destroyed.

27. The original AE would be processed as a completed order when the suppliers invoice was received.

B. <u>Goods delivered to program location</u>:

1. When goods are delivered directly to a program location by a freight company or by the suppliers own truck, all of the

same procedures apply as if they were being delivered to the tribal annex.

2. The program person receiving the delivery must document any damage and complete a Receipt of Material Form (PS-4) in the same way the receiving clerk does in the previous procedures.
3. After the Receipt of Material Form (PS-4) is completed and signed the person receiving the goods detaches the yellow copy and attaches the original and pink copy to the shipping documents.
4. The Receipt of Material Form (PS-4) is then forwarded to the purchasing office where it is matched up with the AE.
5. It is held in the "Incomplete Order" file until the suppliers invoice is received.

C. Goods picked up at suppliers location:

1. The receiving clerk is the person who has the responsibility to pick up orders at the suppliers location.
2. When goods are picked up they are compared against the order if they haven't been packaged.
3. The receiving clerk will sign for the items and receive a copy of the invoice or a packing slip verifying what was ordered and picked up.
4. If the goods are already packaged the receiving clerk will sign for the number of packages being picked up without examining each item.
5. After the goods are picked up they are delivered directly to the program location or to the tribal annex.
6. If the goods are delivered to the program and the person receiving the items is the person responsible to receive

goods or services for the requesting department then they prepare the Receipts of Material Form (PS-4).

7. If the person receiving the goods is not the person responsible to receive goods or services for the requesting department then they sign for the items being delivered and the signed shipping documents are forwarded to the department person who is responsible to receive goods and services. They then complete the Receipt of Material Form (PS-4).

8. When the Receipt of Material Form (PS-4) is completed it is signed by the person making it out who then detaches the yellow copy and attaches the other copies to the shipping documents and forwards it to the purchasing office.

9. If a program person picks up the order at the suppliers location for their own program, the procedures outlined above are followed. The program person is responsible for forwarding the signed shipping documents to the department person responsible for preparing the Receipt of Material Form (PS-4).

10. If the receiving clerk picks up the order and takes it to the tribal annex the Receipt of Material Form (PS-4) would be completed there.

11. When the Receipt of Material Form (PS-4) has been completed the department requesting the order is contacted, the goods delivered and signed for, and the Receipt of Material Form (PS-4) is forwarded to the purchasing office.

12. If any person, other than the receiving clerk, picks up an order from a suppliers location for any program other than their own, the order is delivered to the tribal annex. Then it is processed by the receiving clerk as if they had picked up the order themselves.

Procedure - Receipt of Services

In these procedures, only those services which are requested by the program and do not involve a Personal Service Agreement, a Contractual Agreement, or a Construction Contract, are considered.

1. When services are requested by a program for repairs or maintenance of vehicle, equipment or building it must be approved by the Property Management Office. The procedures that must be followed for this approval are outlined in the Property Management Section of the Procedure Manual.
2. When the repairs or maintenance has been completed, the individual or business firm doing the work will present a "work order" that itemizes what services were performed.
3. The work order is then signed by an authorized tribal employee who has been delegated this responsibility.
4. The employee will receive a copy of the work order. It is important to note that this copy of the work order is often the actual invoice which becomes the supporting document for payment.
5. If the repair or maintenance has been performed at the vendor's place of business the vehicle or equipment will be released to their custody when the vendor's work order is signed.
6. The employee signing the work order will then deliver the vehicle or equipment to the department requesting the service.
7. If the person delivering the vehicle or equipment to the requesting department is not the person responsible to receive goods and services for that department, then that person who is responsible for receiving goods and services signs the vendor's work order.

8. The person delivering the vehicle or equipment then forwards the vendor's work order to the purchasing clerk, who makes two extra copies of it and completes a Receipt of Services Form.
9. When the Receipt of Services Form is completed it is separated and each copy is attached to a copy of the vendor's work order.
10. The yellow copy is then forwarded to the requesting department and the original and pink copies are matched with and attached to the AE's, which are filed in the "Incomplete Order" file.
11. If the person delivering the vehicle or equipment to the requesting department, is the person responsible for receiving goods or services for that department, then they will complete the Receipt of Service Form as per instructions.
12. When the Receipt of Services Form is complete, two copies of the vendor's work order are made.
13. The yellow copy of the Receipt of Services Form is then detached and attached to a copy of the vendor's work order and retained by the requesting department.
14. The Receipt of Services is attached to the work order and forwarded to the purchasing clerk.
15. When the purchasing clerk received the Receipt of Services Form they match it up with the AE in the "Incomplete Order" file.
16. When the repairs or maintenance have been performed on-site the work order is signed when the work is complete.
17. The person signing the work order then follows the same procedures as outlined above.
18. When other types of services are requested that do not require the Requisition Form to be approved by the Property Management Office the verification that the services have been received are handled as follows:

(a) Advertising:

(1) When the purchasing clerk receives a request to place an advertisement with a newspaper or other publisher they inform the publisher to submit to the Purchasing Office a certified copy of the ad which will include what the ad said and when it was run.

(2) When the certification is received it is forwarded to the purchasing clerk who will then complete the Receipt of Services Form.

(3) All other procedures are the same in regards to what happens with the Receipt of Services Form.

(b) Freight Collect:

(1) When a vendor ships any goods to the Quinault Indian Nation and the tribe has to pay the shipping charge, the freight bill is marked collect. This is not the same as C.O.D. The freight company will then bill the tribe for these shipping charges after the goods are delivered. By law freight bills must be paid within seven days.

(2) When goods are delivered by a freight company they are received as previously discussed.

(3) After the freight bill has been signed the receiving clerk checks it to see if the goods have been shipped collect or prepaid.

(4) If the goods are shipped prepaid or collect the receiving clerk processes the copy of the freight bill as explained in the Receipt of Materials Procedure except they make three extra copies of freight bills marked collect and forward all three copies to the purchasing office at that time.

(5) When the purchasing clerk receives the copies of the freight bill they write out an AE to the freight compnay. This is one of the few exceptions when a requisition is not required to support the issuing of an AE. The copy of the freight bill is treated as if it were the requisition. No Receipt of Services Form is required either.

(6) When the AE is completed it is separated and processed the same way as any other AE except that the original is destroyed and not mailed to the vendor.

(c) Laboratory Fees:

(1) Laboratory fees are handled the same way as advertisements with the test results being forwarded to the Purchasing Office.

(2) If the tests are performed on-site and the test results are documented by the person doing the test. Then the tribal employee responsible for verifying that the test were completed must forward the test documentation to the Purchasing Office.

(3) Then the purchasing clerk would complete the Receipt of Services Form and follow all other procedures as outlined above.

(d) Equipment Rentals:

(1) After rental equipment has been ordered it is the responsibility of the person using the equipment to verify that the equipment has been received and how long it was used.

(2) If the equipment is rented from a vendor who delivers the equipment to the Quinault Indian Nation, the

receipt of this equipment is processed the same way that all other goods being received are handled.

(3) After the equipment is received and delivered to the person who will use it they become responsible to verify how long the equipment was used.

(4) When the person using the equipment is finished with it they will return it to D.O.A. or make arrangements to have it returned to the supplier through D.O.A.

(5) When the equipment is returned the vendor will require a receipt of some kind to be signed by the person returning the equipment. This receipt verifies for the vendor how long the equipment has been used.

(6) The person signing this receipt keeps a copy which is their proof that the equipment was returned.

(7) If the person receiving the copy of the vendor's receipt is the person responsible to receive goods and services for the department using the equipment then they would complete the Receipt of Services Form and process it like any other.

(8) If the person receiving the copy of the vendor's receipt is not the person responsible to receive goods and services for that department then they forward it to the Purchasing Office.

(9) When the purchasing clerk receives the vendor's receipt they complete the Receipt of Service Form and process it like any other.

(10) If the equipment is to be picked up at the vendor's place of business the person receiving the equipment will have to sign a release receipt. This document

is the vendors's verification that the equipment has been delivered.

(11) If the equipment is picked up by the person responsible for receiving goods or services for the requesting department then they will deliver the equipment to the person who will use it and then complete a Receipt of Materials Form following the same procedure as if receiving any other type of goods.

(12) If the equipment is picked up by a person not responsible for receiving goods or services for the requesting department then they will deliver the equipment to the person who will use it, have them sign for it as being delivered and then forward this documentation to the Purchasing Office.

(13) The purchasing clerk will complete the Receipt of Services Form and process it like any other.

Section V - Approving Payment Procedure

When an order is placed with a vendor a Contractual Agreement is entered into between the Quinault Indian Nation and the supplier of those goods or services. The supplier has fulfilled their part of that contract when they deliver the items ordered to the QIN according to the terms of the agreement. The tribe fulfills its contractual obligation when they pay the vendor's invoice submitted for those goods or services delivered. It is critical that the proof of delivery be verified before the suppliers invoice is paid. This procedure addresses that verification.

Statement

The purchasing office coordinates the ordering and receiving functions of the purchasing system. It is therefore an easy task to process all vendor's invoices through the purchasing office and make that office responsible for verifying

that the goods or services being invoiced have actually been received and properly ordered. With this documentation the invoice can be processed for payment.

Procedure:

1. All vendor's invoices are submitted to the purchasing office.
2. When the purchasing clerk receives a vendor's invoice they look for the matching AE in the "Incomplete Order" file.
3. If the AE is supported by a Receipt of Material Form (PS-3) then the AE is pulled.
4. When the AE is pulled a Voucher Apron Form (AP-1) is headed up showing the vendor's name, address, city, state, and zip code.
5. Then the purchasing clerk verifies:
   (a) That the terms, the items ordered, the quantities ordered, and the prices on the vendor's invoice agree with the AE,
   (b) that the items were received as ordered.
6. If they agree then the purchasing clerk initials the appropriate boxes on the Vouchers Apron, namely,
   (a) Terms and prices,
   (b) material or services received.
7. If the quantity received is different than the quantity shown on the invoice it is changed to agree with what was actually received and the amount owed is recomputed.
8. If the price is higher than that shown on the AE the purchasing clerk contacts the supplier for an explanation. Any increase in prices must be approved by the person authorized to sign off on AE's.
9. If the price increase is approved the invoice is processed for payment at the new price. If it is disapproved the computation on the suppliers invoice is changed to reflect the price shown on the AE.

10. When the vendor's invoice is verified as to price, quantity, and delivery the purchasing clerk attaches the Voucher Apron to the original vendor's invoice. The invoice then would be supported by the yellow copy of the AE, the original copy of the Receipt of Material, the original copy of the Requisition, and all supporting documents for those forms.
11. The vendor's invoice would be forwarded to the Accounting Office for payment and all other copies of the supplier's invoice are destroyed.
12. The pink copy of the AE is attached permanently to the pink copy of the Receipt of Materials, and the yellow copy of the Requisition.
13. The pink copy of the AE is then marked "Complete" and filed alphabetically in the "Completed Order" file.
14. If an invoice is received from the supplier before the goods or services have been received it is held in the "Incomplete Order" file attached to the AE which approved the order.
15. It is held here until the goods or services have been delivered.
16. When the receipt of goods or services have been verified then it is processed as outlined above.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

Pearl Capoeman-Baller, President
Quinalt Indian Nation
P.O. Box 189
Taholah, WA 98587

JAN 26 2001

Dear Ms. Capoeman-Baller, Pearl

EPA is pleased to approve the following documents, establishing eligibility for the Quinalt Indian Nation to receive funding under Section 319 of the Clean Water Act: 1) Application for "treatment as state," 2) Nonpoint Source Assessment Report, and 3) Nonpoint Source Management Program. This approval is based on legal analysis of the "treatment as state" application by Regional Counsel, review and approval of documents by the Nonpoint Source Program in the Office of Ecosystems and Communities, and the experience of the Tribal Office.

Please note that we are specifically approving only those portions of these documents that ***pertain to waters of a reservation***. We are interpreting this to mean that the Tribe may use CWA grant funds outside the Reservation or tribal trust lands if the eligible activity pertains to management of the waters within the Reservation or tribal trust lands, and this relationship is explained in its work plan. If the work plan includes such off-reservation activities, the grant agreement will condition the use of the funds on the Tribe obtaining necessary access agreements or permission to do such activities because the CWA does not provide additional authority over rights of access to off-reservation waters.

The nonpoint source assessment reports and management programs also include information and planned activities for waters in treaty-reserved "usual and accustomed" areas outside of reservations which tribes have traditionally used for hunting, fishing, and gathering. These may be important aspects of tribes' overall strategies to reduce the impacts of nonpoint source pollution on tribal resources. However, activities that do not pertain to waters of the reservation are outside the scope of tribal authority under section 518 of the CWA, as presently interpreted, and cannot be approved or funded.

Now that eligibility is established, the Quinalt Tribe should submit a work plan for $30,000 FY 2001 base funding under 319 to Robin Slate by February 16, 2001. You may also submit a project summary proposal for $50,000 to $100,000 to EPA Headquarters (cc. the Region) to compete for watershed funds by February 5, 2001. Please see *Guidelines on Awarding Section 319 Grants to Indian Tribes in FY 2001* for further details. You may call Teena Reichgott, Nonpoint Source Program Coordinator at 206-553-1601 if you have questions.

Congratulations. We look forward to working with you as you implement your Nonpoint Source Control Program.

Sincerely,

Chuck

Chuck Findley
Acting Regional Administrator

cc: Robin Slate, EPA
Alan Moomaw, EPA
Teena Reichgott, EPA
Ann Prezyna, EPA
George Onwumere, QIN

Quinault Indian Nation

POST OFFICE BOX 189 ☐ TAHOLAH, WASHINGTON 98587 ☐ TELEPHONE (360)276-8211

October 25, 2000

Christine Reichgott
U.S. EPA Region 10 ECO-086
1200 Sixth Avenue
Seattle, WA 98101

Dear Ms Reichgott:

RE: Approval of Treatment as a State and Non-point Sources of Pollution Assessment and Management Plan under Clean Water Act Section 319 .

Enclosed is the Quinault Indian Nation's application for Treatment as a State under Section 319, Clean Water Act. Also enclosed is the Nation's Non-Point Source Pollution Assessment and Management Plan. For further references to the exhibits mentioned on this 319 TAS application, please refer to the QIN Section 106 TAS initial application which has already been approved by EPA.

We wish to emphasize that, although budget numbers are included in the Assessment and Management Report, this application does not include application for funding. Upon approval of the plan and Treatment as a State, we plan to submit an updated grant request under separate cover.

The purpose of this Non-Point Source (NPS) Assessment and Management Plan is to contribute toward the ability of the Quinault People to effectively and efficiently manage water quality within the Quinault Indian Reservation (QIR). The Nation feels that implementation of this plan is crucial to the protection and enhancement of the QIR waters.

Approval of this plan and the financial assistance to be applied for later will help the Nation address temperature, sediment, pH, and fecal coliform pollution problems associated with logging and related activities; road construction; new property developments; and failing septic tank systems around Lake Quinault. The tribe in partnership with the other agencies outlined in the NPS Report plans to implement mitigation measures for these pollution problems.

We look forward to working with EPA to assess and protect the natural resources of the QIR. If you have any further questions, please contact Dr. George Onwumere at (360) 276-8215 Ext. 371 or John Sims at (360) 276-8215 Ext. 347.

Sincerely,

Pearl Capoeman-Baller

Pearl Capoeman-Baller
President

gco:PCB

cc: Robin Slate, EPA Washington office

QUINAULT INDIAN NATION
P.O. Box 189, Taholah WA 98587

APPLICATION of the QUINAULT INDIAN NATION for TREATMENT as a STATE PURSUANT to 33 U.S.C. §§1251 et seq. and THE WATER QUALITY ACT of 1987

October 23, 2000

I. GENERAL ADMINISTATIVE INFORMATION

A. **Applicant.** The applicant is the Quinault Indian Nation (QIN).

B. **Applicant's Address.** The mailing address of QIN is Box 189, Taholah, WA 98587.

C. **Applicant's Telephone Number.** The telephone number for the QIN is (360) 276-8211. The fax number is (360) 276-4682

D. **Applicant's Representatives.** Representatives of the QIN with regard to this application are as follows:

1. Pearl Capoeman-Baller, President, Quinault Indian Nation, P.O. Box 189. Taholah, WA 98587

2. David Martin, Vice President, Quinault Indian Nation, PO Box 189, Taholah, WA 98587.

3. Fawn Sharp, Richard Reich and Eric Nielsen, Reservation Attorneys , PO Box 189, Taholah, WA 98587. Licensed to practice in the State of Washington

E. This application was prepared on behalf of the QIN by John Sims, Manager, Environmental Protection Division, Department of Natural Resources, reviewed by the representatives listed above, and approved by the Quinault Business Committee.

F. **Purposes of Application.** The QIN seeks treatment as a state pursuant to section 518 of the Clean Water Act, 33 U.S.C. Section 1251 et seq., as amended by the Water Quality Act of 1987 (P.L. 100-4, February 4, 1987). This application will support the submission by the QIN of its Grant Application for Funding under CWA §319(h), to manage a Non-point Source Water Pollution Assessment and Management Program as provided by federal statute.

G. **Date of Application.** The date of this application is October 23, 2000.

II. FEDERAL RECOGNITION

The United States and the Quinault Indian Nation are parties to the Treaty of Olympia of 1855, (12 STAT. 97; II Kappler 719). Federal recognition of the Nation has continued to this day as evidenced by notice appearing in the Federal Register on December 30, 1998 (63 F.R. 71941). A copy of this notice is attached as **Exhibit 2 (see 106 TAS application)**, attached hereto and made a part hereof for all purposes. The Reservation was created on July 1, 1855 and expanded in 1873. The Enabling Act under which Washington was admitted to statehood did not become law until February 22nd, 1889, and the State was not admitted to the Union until November 11, 1889 (United States v. Moore, 62 F. Supp. 660 at 663 (U.S. Dist. Ct.--W.D. Wash. 1945). Thus, the Reservation predates the existence of the State of Washington as discussed below, this is a significant jurisdictional fact (see discussion at page 8, *infra*).

III. SUBSTANTIAL GOVERNMENTAL DUTIES AND POWERS.

A. Form of Government.

The QIN is an Indian Nation organized under a constitution adopted by the membership on March 22, 1975. The Quinault Business Committee is the duly constituted governing body of the QIN by the authority of Article V of the Constitution and Bylaws of the QIN. The QIN Constitution and Bylaws establish the Quinault Business Committee (QBC) as the governing body of the Nation and delegate to the QBC broad governmental powers. A copy of the Constitution and Bylaws is attached as **Exhibit 3 (see 106 TAS application)** and made a part hereof for all purposes.

B. Authority of the Quinault Business Committee.

Under the Nation's Constitution, Article V, the QBC's authority includes the following:

1. To negotiate with the Federal, State, local governments or agencies, and other public or private organizations or persons on behalf of the QIN; provided, that these agreements are not in conflict with the Constitution, instructions of the General Council, or laws of the QIN;

2. To administer any funds in control of the QIN;

3. To employ legal counsel for the protection and advancement of the rights of the QIN and its members. To approve any acquisition, sale, disposition, lease or encumbrance of tribal assets

4. To provide for the zoning and other land use regulation of all lands within the boundaries of the Quinault Reservation and the jurisdiction of the QIN; and for the purity, volume, and use of all water to which the QIN and the Quinault people are entitled; and for the purity of the air within the Quinault Reservation;

5. To manage, lease permit, sell, or otherwise deal with tribally owned lands, tribally owned interests in lands, water rights, fishing stations, mineral rights, hunting grounds, fish and wildlife resources; or other tribally owned assets, and to purchase

or otherwise acquire lands or interest in lands within or without the Reservation, and to hold those lands in tribal or federal trust and to regulate allotted trust and non-trust lands within the Reservation boundaries insofar as such regulation is not prohibited by federal law and does not violate the rights of owners; provided, that tribally owned lands held in trust by the United States shall not be sold or encumbered unless authorized by the General Counsel

6. To engage in any business that will further the economic well being of QIN and of the members of the QIN, or undertake any program or projects designed for the economic advancement of the people of the Nation

7. To borrow money from the federal government or other sources, to direct the use of such funds for productive purposes, and to pledge or assign chattels or income due or to become due;

8. To levy and collect assessments upon members and of the QIN. To regulate all business activity within the Quinault Reservation boundaries and levy and collect taxes or license fees upon members and non-members doing business on the reservation, to the extent allowed by federal law to exclude from the territory of the Nation persons not legally entitled to reside thereon, or trespassers upon the reservation, under ordinances.

9. To provide for an escheat in order that real and personal property of members who die intestate and without heirs shall revert to the QIN;

10. To provide for the execution and enforcement of the laws of the QIN; and to establish an independent Tribal Court, and to provide by law for its jurisdiction, procedures and appointment or election of its judges; and to charter and regulate associations, schools, religious institutions, financial institutions and all other entities; and to establish National enterprises as branches of the Nation government;

11. To assert the defense of sovereign immunity in suites brought against the Nation and to waive the said defense by agreement where National reality or property not held in trust by the United States is pledged or when property held in trust by the United States is pledged or when property held in trust by the United States is pledged with the consent of the United States;

12. To manage, protect and preserve the natural resources of the QIN and to regulate hunting, fishing, including shellfishing, and trapping within the jurisdiction of the Nation;

13. To condemn land or interest in lands for public purposes within the boundaries of the Reservation; provided that owners of the lands shall be paid the fair market value of such lands and any timber or buildings thereon;

14. To enact all laws which shall be necessary and proper for carrying into execution any power delegated to the Business Committee or delegated to any person or committee under the supervision of the Business Committee;

15. To govern the inheritance of real and personal property owned by members;

16. To govern all people, resources, lands and waters under the jurisdiction of the QIN in accordance with the Quinault Constitution, the Quinault Tribal Code of Laws, the Quinault treaty, the laws of the Untied States expressly limiting the powers of the QIN, and the instructions of the General Council;

17. To enact laws for the welfare of the QIN; provided that such laws are not in conflict with the Quinault Constitution, and after public hearing.

The Bylaws assign particular duties to each officer of the Council

1. The President presides over the Quinault Business Committee and exercises all delegated authority. The President signs all official documents approved by the Business Committee or General Council. The President directs the implementation and enforcement of all laws passed by the Quinault Business Committee or General Council. The President represents the QIN in establishing, maintaining and furthering relationships with other governments.

2. The Vice-President assumes the duties of the President delegated by the President. The Vice-President Serves as Chief Executive Officer of the QIN in the absence of the president.

3. The Secretary keeps minutes and records of Council business at Business Committee and General Council meetings. Prepares agendas for all Business Committee and General Council meetings. Maintains custody of the tribal seal and is authorized to affix the seal to all official documents. Directs the publication of all notices required by law to be published.

4. The Treasurer accounts for all QIN funds and preserves records of such funds, makes reports in writing, and makes authorized disbursements. Oversees the financial affairs of the QIN and initiates audits.

5. Councilpersons make up the legislative body of the QIN.

C. Tribal Programs

1. The QIN has an extensive governmental organization and is currently administering numerous programs for the benefit of Tribal members and for residents of the Quinault Indian Reservation. A copy of the organizational chart for the QIN is attached as **Exhibit 4 (see 106 TAS application)**, and made a part hereof for all purposes.

2. The Executive Director presides over the following departments: Natural Resources; Administration; Community Development; and Social, Health, and Education.

3. The principal Tribal department relative to this application is the Quinault Department of Natural Resources (QDNR). QDNR has approximately 72 employees operating programs in Indian Law as it relates to natural resources, Fisheries Harvest Management, Resource Management, Adult Assessment, and Marine Fisheries and Shellfish; Forestry Management; Environmental Protection; Timber/Fish/Wildlife; Air Quality; and Water Quality. A more complete discussion of this department is under "V. Tribal Capabilities," *infra*.

D. Tribal Law

Tribal law is established by resolutions, codes and ordinances enacted by the QBC. In addition to the Constitution and Bylaws, the following Ordinances and Resolutions are currently in effect:

Beach Lands Protection Code
Building Ordinance
Business Licensing and Tax Ordinance
Conservation Code
Criminal Code
Dangerous and Nuisance Buildings Code
Domestic Relations Code
Domestic Violence Code
Employment Preference Ordinance
Eviction Ordinance
Fishing Code and Regulations
Natural Resource Management Code and Regulations
Gaming Code
Guardianship Code
Housing Authority Ordinance
Hunting Code and Regulations
Indian Child Welfare/Dependency And Juvenile Offender Code
Involuntary Commitment Code
Judicial Codes
Court Rules
Liquor Code
Mortgage Foreclosure Code
Motor Vehicle Code
Probate Code
Repossession Regulation
Sewer Code
Sovereign Immunity Ordinance
Tobacco Ordinance
Utilities Ordinance
Vessel Registration Regulation
Zoning Ordinance

The QBC has adopted a tribal Personnel Policies and Procedures Manual to govern the rights of tribal employees and to explain operating procedures

The QBC has enacted numerous other resolutions not mentioned here but which currently govern and further delineate reservation activities.

E. The Tribal Court.

1. Quinault Tribal Court was established by Title 5 of the Quinault Tribal Code and interprets and enforces the Tribal Ordinances, laws, regulations and the Constitution. While the State of Washington exercises criminal and limited civil regulatory jurisdiction over non-Indians on the Reservation, the Tribal Court exercises criminal jurisdiction over all Indians within the Quinault Indian Reservation and has concurrent jurisdiction with the federal government for major crimes. The Court also has civil jurisdiction over non-Indians for activities on the Reservation that violate Tribal civil ordinances and regulations effecting the political integrity, the economic security, health, safety and welfare of QIN. United States vs. Montana, 450 U.S. 544 (1981); Cardin v. De La Cruz, 671 F.2d 363 (9th Cir.) Cert. Denied 459 U.S. 967, (1982). Approximately 78% of the Quinault Reservation lands are owed by the QIN or by Indians and most of that land is trust property. (See additional discussion under IV.C., *infra*.) The Tribal Court's criminal and civil authority over Reservation affairs--both adjudicatory and regulatory--is set forth in the several ordinances and codes mentioned above.

2. The Quinault Tribal Court is staffed by a Chief Judge and Associate Judge both of whom are Native Americans. There are three tribal attorneys who are members of the Washington Bar and a prosecutor and public defender who are also members of the Washington bar. There is a Clerk of the court and staff assistants. This Court has the power to enjoin activities on the Reservation that impair water and air quality and that threaten the Reservation's natural resources and wildlife.

F. Law Enforcement Services

Currently, the Quinault Tribal Police Department is under the supervision of a Chief of Police and is comprised of seven patrol officers, four fisheries enforcement officers, two forestry trespass officers, one game warden, four corrections officers (not commissioned), and one corrections/animal control officer (not commissioned), and staff. Each police officer in the QIN Tribal Police Department has been certified by the Washington State Criminal Justice Training Commission. The Tribal Police Department is operated by the QIN under a Self-Governance Compact (BIA Contract No. GTP06T11701) with the Bureau of Indian Affairs. 25 USC Sec. 450(f).

The fisheries, forestry, and game officers enforce the Tribal Fishing and Wildlife Codes.

G. Emergency Response

In addition to the QIN law enforcement officers in the Police Department, the Nation also has a Fire Department charged with responding to fires and to hazardous materials events. The Fire Chief is part of the Hazmat Team, along with Utilities personnel.

H. Cooperative Management

The Nation, as a member of their Sanctuary Advisory Group, is consulting with the Olympic Coast National Marine Sanctuary (NOAA) to address areas of mutual concern, such as potential oil spills, and scientific investigations along the Reservation's coastal boundary. The Nation is a member of the Sanctuary Advisory Council. The Nation conducts several off-Reservation programs with Washington State Department of Natural Resources (DNR), WDFW, and with timber landowners, such as Rayonier Timberlands, Simpson, and Weyerhaeuser Timber Companies; e.g., restoration of blocked fish passages, watershed analysis, Habitat Conservation Plans, and Landowner Landscape Plans. It works with Washington's Department of Ecology on developing tribal input to the State CWA §303(d) list of impaired water bodies. The Nation is currently developing its own program for water quality.

IV. LAND AND WATER RESOURCES OVER WHICH THE QUINAULT INDIAN NATION ASSERTS REGULATORY JURISDICTION

This section of the application of the Quinault Indian Nation to the Environmental Protection Agency for treatment as a state under the Clean Water Act, as amended, has been reviewed by:

Eric Nielsen, Reservation Attorney
P.O. Box 189
Taholah, WA 98587

I hereby certify that the legal analyses of the matters contained herein are accurate to the best of my knowledge. Further, the assertions as to the regulatory jurisdiction of the Quinault Indian

Nation with regard to land and water resources described below are supported by the legal authorities cited herein.

Eric Nielsen, Reservation Attorney — 10/30/00 Date

Fawn Sharp

The management and protection of all tribal resources is a primary concern of the QIN. The Nation's authority to regulate its own natural resources is firmly established as a matter of federal and tribal law, as discussed below under Regulatory Jurisdiction in IV.C. Therefore, it is important to clearly set out the land base and water resources of the Nation.

A. Tribal Land Base.

The Quinault Indian Reservation was originally set aside by the Treaty of Olympia of 1855, (12 STAT. 97; II Kappler 719). The size of the reservation is 212,000 acres. It is located on the Pacific Coast of the Olympic Peninsula in Jefferson and Grays Harbor Counties, Washington.

B. Tribal Water Rights

1. Reservation Water Bodies. The reservation includes the lowest portion of the Queets River and a major part of one of its tributaries, the Salmon River; Lake Quinault and the Quinault River from the Lake to the Pacific Ocean; Raft River; portions of the Moclips River; numerous small coastal streams (e.g., Whale Creek, Wreck Creek, etc.); and wetlands. A map of the Quinault Indian Reservation is attached as **Exhibit 5 (see 106 TAS application)**, and made a part hereof for all purposes. The Quinault River flows through the Reservation, and is a major source of economic and cultural well being for the Quinault People. This river has viable stocks of wild salmon and trout. The Quinault River's ground water provides drinking water for Taholah, and the Queets River Basin's ground water provides drinking water for the village of Queets. Lake Quinault and Salmon River supply water for the QIN two hatcheries, plus a Penned Rearing facility at the Lake. The estuaries of these rivers are home to outmigrating smolt, returning adult anadromous fish, and several other species of fish and shellfish, as is the Pacific Coast and offshore waters. It is recognized that Washington tribes enjoy first and earliest priority to all of the waters that arise on, border, traverse, underlie or are encompassed with the reservation as well as "Winters" rights (see #3, *infra*).

2. As tribal reserved water rights are based on federal law, they are not subject to state regulatory jurisdiction. (See also Moore v. United States, supra.) These rights can be exercised by the Nation through its authority without any state permit or other form of authorization issued by a state or its subdivision.

3. 25 U.S.C. §415(a) provides for the lease of tribal and allotted Indian lands for business and other purposes and specifically authorizes leases to develop or utilize natural resources in connection with operations under these leases. These facts alone demonstrate the Tribe's overriding interest in regulation the waters within its exterior boundaries.

4. The Reservation also includes large wetlands and creeks. (See Reservation Map **Exhibit 5 (see 106 TAS application)**)

5. The Tribe's water rights are also founded on the Winters doctrine, named after the landmark decision in the United States Supreme Court: Winters v. United States, 207 U.S. 564 (1908). In Winters, a Montana tribe sought to restrain the United States from building a dam on the Milk River, as it would reduce the availability of water for irrigation of Reservation lands. The dam would be off-Reservation. The Court held that the establishment of an Indian reservation carries with it the right of sufficient water to fulfill the reservation's purposes. Progeny of this case have extended it to include the right to instream flows to satisfy the Tribe's treaty fishing rights. See, e.g., United States v. Adair, 478 F. Supp. 336, 345 (D. Or. 1979); aff'd 723 F.2d 1394 (9th Cir. 1984) cert. den. sub nom.; Oregon v. United States, 467 U.S. 1252 (1984); Colville Confederated Tribes v. Walton, 460 F. Supp. 1320, 1330 (E.D. Wash. 1978), aff'd, 647 F.2d 42 (9th Cir. 1980), cert. den., 454 U.S. 1092 (1981); enforced, Colville Confederated Tribes v. Walton, 752 F.2d 397 (9th Cir. 1984); Kittitas Reclamation District v. Sunnyside Valley Irrigation District, 763 Fl.2d 1032 (9th Cir. 1985), cert. den., 474 U.S. 1032 (1985); Muckelshoot Indian Tribe v. Trans-Canada Enterprises, Ltd., 713 F.2d 455 (9th Cir. 1983), cert. den., 465 US. 1049 (1984); Joint Board of Control of the Flathead, Mission & Jocko Irrigation District of United States, 832 F.2d 1127 (9th Cir. 1987).

6. The authority of tribes to regulate the use of the Winters waters is well established. Colville Confederated Tribe v. Walton, 647 F.2d. 42 (9th Cir. 1981), *cert. den.*, 454 U.S. 1092 (1981); United States v. Anderson, 763 F.2d 1358 (9th Cir. 1984). Winters rights have priority dating to the time the treaties were signed (July 1, 1855, for the Quinault). Treaty-reserved rights to fish may also carry an implied right to water necessary to protect the fishery resource. Unlike Winters rights, implied rights to the water necessary to protect the fishery resource have a priority date of time immemorial. United States v. Adair, 723 F2d 1394 (U.S. Ct. App. 9th Cir. 1983).

7. To date, the Winters rights of the Nation have not been quantified. The State of Washington recognizes tribal reserved rights and that they have not yet been quantified.

8. The Quinault Indian Nation's treaty rights to fish, provide adequate water for their habitat (protection from environmental degradation) and to regulate its fishery without involvement by the State, have been judicially recognized in United States v. Washington, 384 F.Supp. 312 (U.S. Dist. Ct.--W. D. Wash. 1974); *aff'd.* 520 F.2d 676 (U.S. Ct. App.--9th Cir. 1975), *cert. den.* 423 U.S. 1086, 96 S.Ct. 877, 47 L.Ed.2d 97 (1976), and in its more recent progeny; e.g., United States v. Washington--Phase II, 506 F.Supp. 187 (U.S. Dist. Ct., W. Dist. Wash.--1980).

9. The QIN is in the process of developing Water Quality Standards that will support water quality regulations. The promulgation of these regulations will involve input from several departments, primarily Natural Resources, but also Social, Health, and Education, and Community Development. A first draft of the Standards should be ready for review and comment by the department heads and tribal attorneys during the coming fiscal year. The draft Standards would then be submitted for public comment, in the next twelve months.

C. Regulatory Jurisdiction

1. Under federal law, the jurisdiction of the Quinault Tribal Court extends to the activity of Tribal members and non-Indians within the Reservation boundaries. Indian tribes retain "attributes of sovereignty over both their members and their territory..." United States v.

Mazurie, 419 U.S. 544, 577 (1975). While the federal courts have in some cases found divestiture of a tribe's jurisdiction over non-Indian activity within reservation boundaries, none of these limitations significantly affect the authority of the QIN on the Quinault Indian Reservation.

2. The limitations on Tribal civil jurisdiction over non-Indians have generally focused on non-Indian activity on fee lands owned by non-Indians. Even those activities, however, should not limit the Nation's authority to regulate water quality. In United States vs. Montana, 450 U.S. 544 (1981), the Supreme Court held (at 566) that a tribe retains civil jurisdiction over parties that have "consensual relations with the tribe" or where there is a showing that the "conduct threatens or has some direct effect on the political integrity, the economic security, or the health and welfare of the tribe." Regulation of water quality of streams or other water bodies within the Quinault Indian Reservation, especially those waters the Nation owns, like Lake Quinault, or where the Nation possesses exclusive fishing rights, like the Quinault, Queets, Raft and Salmon Rivers, would certainly come within this standard, as explained below.

3. The most important bodies of water on the reservation are the Quinault River, Queets River, Raft River, Moclips River, Lake Quinault, and numerous coastal streams connecting directly with the Pacific Ocean. The Nation depends on its fisheries for subsistence and commerce. Anadromous fish enter by way of these rivers and their estuaries.

4. It has been established that the Nation has exclusive jurisdiction over the waters and the bed of the Quinault River and Lake Quinault, and other waters flowing within the external boundaries of the Reservation, and of the ocean tide lands, where they border the Reservation. Washington State Attorney General's Opinion, at 783, 787-788, (1927-1928) (Quinault Indian Nation has jurisdiction over the navigable waters and beds on the Quinault Indian Reservation). The Nation's exclusive on-Reservation fishing rights can be impaired by pollutants entering the Reservation's river and lake systems; activities affecting water quality occur on fee lands within the Reservation boundary—activities that can affect tribal economics, health and welfare, so the Nation would logically have authority to regulate such activities, insofar as they impact water quality. See, Snow v. Quinault Indian Nation , 709 F.2d 1319, (9th Cir. 1983) (Quinault Tribe has authority to tax non-Indian businesses located on Quinault Reservation); Cardin v. De La Cruz, 671 F.2d 363 (9th Cir.) Cert. Denied 459 U.S. 967, 103 S.Ct. 293, 74 L.Ed.2d 277 (982) (Quinault Tribe's health, safety and building codes apply to non-Indian fee landowner).

5. The Supreme Court's decision in Brendale v. Confederated Tribes and Bands of the Yakima Indian Nation, et al., 492 U.S. 408 (1989) is not dispositive of the authority or jurisdiction of the Tribal Court in any manner relevant to this application. Brendale was a zoning case regarding the rights of the Yakama Indian Nation to exercise zoning authority over fee land. Justice White's opinion, which took the narrowest view of tribal authority, expressly distinguished the Brendale circumstances from those situations where Congress has expressly delegated regulatory authority to a tribe, as in the Clean Water Act. The Quinault Tribal Court, even after Brendale, has jurisdiction over non-Indian activity on fee lands allegedly in violation of delegated programs under the Clean Water Act, because tribes have been authorized to exercise such authority by Congress under this Act.

6. As noted in the previous section of this application, the QIN Tribal Court is empowered under tribal law to enjoin activities on the Reservation that impair water and air quality that threaten the Reservation's natural resources and wildlife. In addition, to meet the EPA requirement regarding tribal enforcement mechanisms to stop pollution sources that present an imminent and substantial endangerment to human health or welfare, The Business Committee has adopted a resolution authorizing the President of the Nation to file an action in Tribal Court to halt the discharge of pollutants. (See **Exhibit 6, (see 106 TAS application))**

V. TRIBAL CAPABILITY

A. Tribal Experience in Administration of Water Quality Projects

The QIN is fully capable of functioning in a way consistent with Clean Water Act provisions and the regulations promulgated thereunder. It has considerable experience in performing water quality activities under grants and contracts with federal and state agencies, including five years of water quality baseline monitoring of treaty-land fresh waters (USEPA funding), groundwater protection grants funded by the BIA and the Washington Department of Ecology, and a Wetlands Grant with the Environmental Protection Agency (EPA. These grants will be useful in the future, when the Nation develops regulations and guidelines for protection of Reservation waters. Other grants with BIA pertain to stream restoration and watershed analysis. A watershed analysis was completed for the Quinault River Basin and a second one is under way on the Salmon River watershed. The Quinault Watershed Analysis identifies pollutants (including temperature, D.O., and sediments) that impact salmonid habitat. Other water quality monitoring indicates similar problems in most waters of the Reservation. Watershed analyses as well as monitoring are leading to recommendations under Federal Guidelines for implementing Best Management Practices in the forestlands of the Reservation. The Nation is currently drafting an Environmental Assessment (EA) for a ten-year Forest Management Plan (FMP) on the Quinault Reservation. This Environmental Assessment and Forest Management Plan will incorporate the science-based recommendations referred to above.

B. Capability of Taking on CWA §319(h) Responsibilities

The Quinault Indian Nation has effectively demonstrated the willingness and ability to address nonpoint source pollution issues through the existing system of tribal practices designed to protect natural resources on the reservation. The Nation implements best management practices (BMPs) through the administration of the Natural Resources Management Act, Title 61 (NRMA) and the Interdisciplinary (ID) Team process. The QIN-NRMA contains rules, regulations, codes of conduct, and law governing sustainable land management on the QIR. The ID Team process involves QIN and Bureau of Indian Affairs (BIA) staff, which is composed of specialists from Wildlife Biology, Cultural Resources, Silviculture, Forestry, Soils Science, Water Quality, and Fish Biology. These professionals use several approaches to scope issues and concerns relating to sustainable land management on the QIR. The ultimate goal is to design BMPs that provide protection against impacts of logging, road constructions, soil erosion, pollution from failing septic tank systems, fertilizer and pesticide applications, oil spills, and other toxic wastes.

The Quinault Indian Nation recognizes that preservation of surface and groundwater quality, maintaining sustainable logging, and healthy fish populations are crucial for tribal economic

growth and survival. Four non-point sources of pollution are responsible for threatening or impairing several water bodies on the QIR: new development, logging, road constructions, and failing septic tank systems. The QIN has no established BMPs program, however several guidelines have been developed in the QIN-NRMA, Comprehensive Land Use Plan, on-going FMP and EA to use BMPs in planning and implementing projects on the reservation. The QIN Section 319 program will emphasize pollution prevention, since the economy of the tribe has been largely resource-based, primarily on fishing and timber. Therefore, the process for identifying BMPs for these resources will consist of guidelines already outlined in the QIN-NRMA, on-going FMP, EA, and several U.S. EPA NPS Pollution Guidance documents.

An Adaptive Management program is necessary to monitor and assess the implementation/consequences of the management guidelines set forth in the FMP as well as in other environmental management guidelines. Adaptive Management is a formal process for evaluating the effectiveness of rules in protecting, maintaining, and rehabilitating fish and wildlife habitat as well as preserving water quality. This process will provide the guidance necessary for making adjustments to forest practices to achieve necessary resource protection objectives.

The BMPs selected will address new developments, stormwater runoff from logging activities and road constructions, and failing septic tank systems around Lake Quinault. Additional BMPs may be required to address wetland protection, stream bank or slope stabilization, oil spills, pesticide and fertilizer applications. Similarly, other divisions within the QIN and the ID Team may develop new or site-specific BMPs if appropriate ones do not exist or are inefficient in solving the problems. The ultimate goal is to design BMPs that provide adequate resource protection without compromising economic sustainability of the future generation.

C. Financial and Administrative Capabilities

The QIN's administrative and financial capability to handle federal grants and contacts is sufficient to manage EPA funds under the Clean Water Act. The Tribe's accounting and procurement systems meet federal grant requirements, as set forth in previous EPA applications for Region 10 See copy of the most recent audit report attached as **Exhibit 7 (see 106 TAS application)**. The Tribe currently has four EPA grants: GAP, Air Quality, Watershed Analysis and Management, and Wetlands Protection.

The Tribal Operations Director, under the supervision of the Executive Director, Pearl Capoeman-Baller, conducts the day-to-day operations of the QIN. The Nation's Grants and Contracts Officer is Wilma Hudson, and its Chief Financial Officer is Lynda Jolly. The finances are audited annually by the firm of Moss-Adams of Bellingham, Washington. These annual audits have demonstrated the financial and administrative capability of the Tribe to comply with and manage the grants and contracts that the QIN receives from various agencies. A summary of the Tribe's Procurement Procedures is attached as **Exhibit 8 (see 106 TAS application).**

Qualification of Key Staff:

The Department of Natural Resources will implement EPA grants regarding treatment as a state. Its Director is Bruce Jones. Mr. Jones heads a department with three divisions combining expertise in several scientific disciplines including Forestry, Fisheries, water resources, hydrology, wildlife management, Timber/Fish and Wildlife, and an Air Quality

program. Other key staffs that will be charged with responsibilities under QIN section 106 program operations include:

Environmental Protection Division Manager: BS in Fisheries; MS in Biology; four years as Water Resources Manager; two and one half years as EP Division Manager, supervising forest practices regulation and enforcement, water quality, air quality, wildlife and ESA programs, including bald eagles, bull trout, Northern Spotted Owl and marbled murrelet.

Senior Biologist: BS in Fisheries; twelve years as a fish habitat biologist with the QIN; participant in the Forestry Module and Forests and Fish (WA State) negotiations. Supervises all technical managers in the EP Division.

Water Resources Section Manager: Ph.D. in Civil Engineering/Water Resources; three years as Water Resources Manager; participant in the Water Quality Module and involved in the Coordinated Tribal Water Quality Program.

Water Quality Technician: One and one half years as Water Quality Technician; graduate of BIA six-week school for tribal water quality technicians.

GIS Staff: the Principle GIS Analyst for the Nation has worked for the QDNR Forestry Division since 1997. He holds a Bachelor of Science in Biology from the University of Illinois (1982) and a Certificate in Geo-Information Systems from Green River Community College (1996) He has provided services as the lead GIS analyst for the QIN Salmon River water project. He also provided GIS services to the Puyallup Tribe and to the Swedish Medical Center in Seattle while completing his studies at Green River in 1992.

VI. REQUEST FOR APPROVAL

Based upon the foregoing, the QIN respectfully requests that the Environmental Protection Agency approve this application for treatment as a state pursuant to Section 518 of the Clean Water Act, 33 U.S.C. § 1377, as amended by the Water Quality Act of 1987 (P.L. 100-4, February 4, 1987).

Respectfully submitted,

Pearl Capoeman-Baller

Pearl Capoeman-Baller
President

QUINAULT INDIAN NATION

NON-POINT SOURCES OF WATER POLLUTION ASSESSMENT AND MANAGEMENT PLAN

Prepared for

U.S. Environmental Protection Agency
Office of Wetlands, Oceans, and Watersheds,
Assessment and Watershed Protection Division

By

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September 2000

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Overview

The Quinault Indian Nation (QIN) started water quality monitoring and assessments within the reservation boundaries in 1994. In the past, the data collected from this monitoring effort had been used in evaluating the health status of the waters of the reservation. Recently, the water quality data has been used in two watershed analyses, Environmental Assessment (EA) evaluation, Forest Management Plan (FMP) development, and Point and Non-point Source Pollution (NPS) evaluations. Point source pollution within the Quinault Indian Reservation (QIR) is limited, thereby making non-point sources the most widespread sources of water pollution.

The four most common non-point types of water quality degradations on the reservation rivers are siltation/turbidity, thermal modifications, fecal coliform contamination, flow and habitat alterations. The most significant sources of these impairments are stormwater runoff from timber harvesting operations and road constructions, inadequate riparian vegetation protection, and failing septic tank systems at Lake Quinault.

The purpose of this Non-Point Source Assessment and Management Program is to contribute toward the ability of the Quinault People to effectively and efficiently manage water quality within the QIR. The tribe as co-managers of the fishery resources within the Usual and Accustomed (U & A) Area, with the state of Washington, is expected to cooperate and perform the necessary tasks, usually water quality related, associated with fishery management. Finally, this Non-Point Source Assessment and Management Plan report is prepared to guide the Tribal Water Quality Program in outlining and implementing future goals and objectives for water quantity and quality within the QIR.

The need for this Non-Point Source Assessment and Management Plan was due to past experiences of the Quinault People with water, land use, and fisheries management within the reservation. The degradation in fish habitat, water quality and watershed conditions caused by land use practices within the reservation was documented in two watershed analyses and Forest Management Plan (FMP) development. With non-point source pollution being the primary cause of water contamination to reservation waters, the QIN proposes to undertake a comprehensive, integrated approach to address water quality concerns. The approach includes, but is not limited to:

- Expanded and long-term monitoring;
- Implementation of the Preferred Alternative in the QIN Environmental Assessment (EA) and the Forest Management Plan (FMP);
- Enforcement of the 1995 revised QIN-Natural Resources Management Act (NRMA), Title 61;
- Restoration of degraded habitats identified from the two watershed analyses; and
- Public information and education to increase ecosystem awareness and knowledge.

Introduction

Quinault Indian Nation's jurisdiction lies within the borders of the Quinault Indian Reservation (QIR). The reservation is situated on the Pacific Northwest Coast moving easterly to, and including Lake Quinault. The borders fall within Jefferson County to the north and Grays Harbor county to the south; and are adjacent to the U.S. Olympic National Park and the U.S. Forest Service Olympic National Forest lands to the east.

The QIR encompasses a total of 207,000 acres, or 6% of the total land area of the Olympic Peninsula, Washington with about 1,000 miles of stream/lake shore (see attached map). Approximately 95% of the Reservation is devoted to natural resources management. For centuries, the Quinault People depended on the salmon fishing for their livelihood. In recent decades, however, the major source of financial wellbeing of the Nation and individual tribal members has come from the timber industry. Approximately 120,000 acres are owned in 40- and 80-acre parcels, held in trust by the federal government, for individual Indian landowners, and 62,000 acres are owned by the QIN in either fee or trust status. Twenty-five thousand acres are owned by private individuals and are in fee status, as shown in Figure 1-1 below.

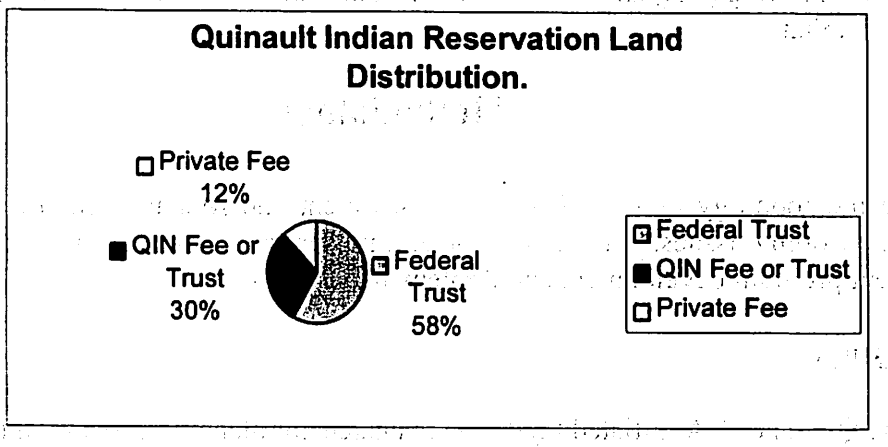

Figure 1-1. Percent Land Distribution within the Quinault Indian Reservation.

With the decline in fish populations, and a larger dependency on timber for employment and economic gain, the timber resource has become one of the most important issues concerning the Quinault Indian Nation. The potential impact of increasingly restrictive management guidelines due to environmental issues could be severe. The management guidelines proposed in the QIN Forest Management Plan represent certain tradeoffs that provide environmentally sound management practices as well as allowing the Nation and the individual landowners to

recognize the economic opportunity provided by the Reservation's timber base for current and future generations.

Therefore, the primary goal of this Assessment and Management Plan is to effectively address future non-point sources of water pollution on the Quinault Indian Reservation. The second goal is to protect and improve water quality within the reservation boundaries by reducing and preventing non-point source pollution through enforcement of existing programs, development of innovative and sustainable approaches, and implementation of the management measures identified in this plan.

The main objective of this Assessment and Management Plan is to maintain, enhance, or establish working relationships with the other divisions within the QIN tasked with managing the natural resources of the reservation. Other objectives are:

- Develop innovative and affordable tools for NPS pollution management.
- Continue implementing and enforcing existing programs.
- Increase public information and educational efforts, particularly related to sustainability.
- Address non-point source problems at the watershed level.
- Monitor pre- and post-harvesting impacts on water quality.
- Monitor efforts on water quality improvements.
- Increase staff knowledge about the causes and effects of non-point source pollution from forest practices.
- Review all the existing programs, rules and regulations, enforcement, and current monitoring program to evaluate their adequacies in improving water quality and fish habitat.

Methodology

The methodology used in this NPS Assessment and Management Plan is comprised of four parts: scoping issues; data assemblage; information organization and assessment; and management program development and implementation.

Scoping Issues

The QIN and BIA initiated the forest management planning process in the early 1990s by implementing a scoping process for an Environmental Assessment (EA). An interdisciplinary team composed of specialists from Wildlife Biology, Cultural Resources, Silviculture, Forestry, Soils Science, Water Quality, and Fish Biology used several approaches to scoping issues and concerns. Included in the scoping process was a landscape ecology planning approach called "Forest Landscape Analysis and Design" (FLAD) to evaluate the existing condition of the Quinault Indian Reservation landscape. Additional issues and concerns were identified through a landowner and user questionnaire conducted in May - June 1995. Public issues and concerns were also solicited at public meetings held at Taholah and Aberdeen in August 1995. Alternatives 1 through 4 evolved out of this early scoping process and were presented to the QIN Business Committee in late 1995 to determine whether the proposed alternatives met the needs of the affected parties.

The FLAD goals identified were:

1. To perpetually maintain the Quinault Indian Reservation's timber resource in an economically viable state;
2. To restore and maintain riparian habitat to support a harvestable supply of fish;
3. To maintain a suitable level of protection and enhancement for aquatic and riparian-dependent species;
4. To meet the requirements of the Endangered Species Act (ESA) for aquatic and riparian-dependent species; and
5. To meet the requirements of the Clean Water Act for water quality.

The QIN Business Committee requested that a fifth alternative be developed that would blend the original Alternative 1 (Current Practices) and Alternative 2 (Fish Habitat/Water Quality).

Also, due to the current ESA listings and the inadequacy of the EA, a decision was made to modify Alternative 5 to incorporate some of the standards found within the *Forests and Fish Report* (Washington State, April 29, 1999). This modification was in response to the acceptance of the report's standards by the National Marine Fisheries Service, the U. S. Fish and Wildlife Service, and the Environmental Protection Agency as meeting the needs of threatened and endangered species. Furthermore, the intent was to increase the protection provided to the Nation's fish habitat, and meet the standards of the Clean Water Act (CWA) which include non-point source pollution prevention. However, through negotiations, there have been slight reductions in riparian protection due to concerns over economic impacts to small-allotted landowners.

Data Assemblage

Information on water quality parameters within the reservation such as stream temperature, turbidity, dissolved oxygen (DO), total suspended solids (TSS), pH, and conductivity was collected entirely from the QIN Microsoft Access Water Quality Database.

Data had been collected on the reservation since 1994, and stored in a Lotus flat file database. The MS Access water quality database was built in 1998. After completion, the water quality parameters from eighteen (1994) to twenty (current) monitoring stations were centralized in the database. All the parameters, with the exception of TSS, were collected using the Hydrolab™ H20 Multiprobe. The total suspended solids (TSS) monitoring is conducted according to the methodology outlined in the Standard Methods for the Examination of Water and Wastewater (APHA et al., 1992).

The purpose of the water quality sampling is to collect baseline water quality data, which will be used to determine if there are any adverse effects on water quality, caused by past and possible future timber harvesting. Another long-term purpose is to adopt best management practices (BMPs) that will reduce or prevent adverse impacts on water quality from timber harvesting and other activities on reservation lands.

Information Organization and Assessment

Water Quality Data from the Hydrolab™ H20 Multiprobe are measured in the field and entered into a Polycorder™, and upon return to the office, the data are downloaded into a Lotus 1-2-3 spreadsheet and parsed. The data are compiled in Microsoft Excel and exported into the Microsoft Access Water Quality Database for further analysis.

The QIN water quality database is a relational Access database that contains five tables, namely drainage, samples, source data, station and tributary, that relate through common fields. Each table contains different information. The relationships created between these tables by using common fields eliminate the potential for creating extremely large database tables as well as any possible data duplication. This database was developed for water quality information organization and analysis. Hence, the database has helped in water quality data centralization, which will aid in summarizing the data in the future.

The water quality data were assessed by subwatershed and compared with Washington State and U.S. EPA Colville-promulgated Water Quality Standards or other published thresholds of concern. This was done to determine whether the beneficial uses are being supported for the QIN waters.

Management Program Development and Implementation

Management programs to tackle technical and policy issues related to water quality and watershed management within the Quinault Indian Reservation were addressed through the Preferred Alternative of the QIN EA and FMP. Specific strategies are being developed in coordination with the Bureau of Indian Affairs (BIA), U.S. Fish and Wildlife Service (USFWS), tribal government and technical staff to address non-point source pollution caused by timber harvesting and other related activities. These strategies include: administration and enforcement of existing land use and QIN-Natural Resources Management Act, Title 61; laws and regulations; recommendations of changes in land use and land use management practices; public information and education; baseline, project and site-specific monitoring of water quality; and implementation of restoration projects recommended in the previous watershed analyses. These will help ensure compliance with the Clean Water Act (CWA) and Endangered Species Act (ESA) within the QIR.

Land Use Summary

Existing Conditions

As mentioned earlier, the QIR has a total of 207,000 acres, or 6% of the total land area of the Olympic Peninsula, Washington with about 1,000 miles of stream/lake shore. Roughly about 95% of the Reservation is devoted to natural resources management. Of the total acreage, approximately 120,000 acres are owned in 40- and 80-acre parcels, held in trust by the federal government, for individual Indian landowners, and 62,000 acres are owned by the QIN in either

fee or trust status. Twenty-five thousand acres are owned by private individuals and are in fee status, as shown in Figure 1-1 above.

The reservation is covered by dense forest of western redcedar, western hemlock, Sitka spruce, and Douglas-fir with the exception of rivers, lake, beaches, occasional small prairies, and village residential development. Table 1-1 lists the current land uses and approximate acres on the reservation. The residential development includes the two villages of Taholah and Queets as well as Amanda Park.

Table 1-1. Land Use Activities of the Quinault Indian Reservation.

Category	Approximate Acreage
Urban Development (total)	**623**
Residential	430
Commercial	25
Industrial	40
Extractive	52
Utility	76
Undeveloped (total)	**206,534**
Wetlands	5,608
Surface Water Bodies	5,982
Forest	194,944

Two highways, U.S. Highway 101 (on the east and north) and State Route 109 (on the west), provide access to the reservation, as indicated on the map of the reservation. Also, there are logging roads and other access routes within the reservation boundaries for transportation of goods and services.

The reservation soil types vary widely due to diverse geologic conditions. According to a 1976 soil survey, nineteen soil series generated by five geologic sources were identified (Quinault Indian Nation, 1997). The survey suggested that over 80% of the reservation is covered by soils created by glacial deposits and that over one-third of the total acreage on the reservation consists of soils that make road construction difficult. Similarly in another study, poor drainage and presence of shallow, impermeable, iron-cemented pans renders most reservation soils unsuitable for drain field appropriateness (Quinault Indian Nation, 1997). These poor soil types associated with the QIR increase the vulnerability and potential for the overland transport of sediments to nearby water bodies.

Surface and Ground Water Quality Summary

The water resources within the Quinault Indian Reservation include extensive groundwater reserves, springs, small streams, wetlands, a lake, and several large surface water bodies such the Queets, Salmon, Raft, Quinault, and Moclips Rivers.

Groundwater Resources

The QIN has not undertaken any formal groundwater inventory within the reservation boundaries. However, they hired a consultant several years ago to locate a potential new safe drinking water supply for the village of Taholah. During this groundwater exploration, numerous sites were tested for their water quality. Several sites were rejected due to their high iron concentrations before a new safe drinking water supply was located north east of the Taholah village.

Part of the future project plan for the Water Quality Section is to secure adequate funding to perform complete groundwater reserves inventory within the reservation.

Wetland Resources

The tribe received money last year to perform basic wetland inventory and classification. The tribe put out a request for proposal (RFP), hired a consultant, and is reviewing the rough draft of the initial classification report.

Lake Water Resource

Lake Quinault offers a lovely setting, quality recreation and fishing conditions, a favorable habitat for fish and fairly good water quality. The Quinault Fishery Division (QfiD) conducts limited water quality sampling on the lake, and based on a recent study by Stockner (2000) has determined Lake Quinault to be oligotrophic (low nutrient and productivity). The QfiD has noticed a decline in fish population over the last several years. This decline in fish population could be due to several reasons, one of which could be all the developments around Lake Quinault, habitat degradation (logging, road building, and gravel mining), natural aging (gradual nutrient losses) or climatic changes. For example, a survey carried out several years ago by the U.S. Forest Service (U.S. FS) found that most of the residential septic tank systems are failing or on the verge of failure, thereby jeopardizing the water quality of the lake. Similarly, there is a high potential for water quality degradation from non-point source pollution from all the developments surrounding the lake.

Surface Water Resources

Four major river systems flow through the Quinault Indian Reservation before entering the Pacific Ocean: the Queets, Raft, Quinault and Moclips Rivers. The Salmon River is a tributary to the Queets River and will be included in the discussion (see attached map).

The largest of these in total drainage area is the Queets in the north. It drains only a small portion of the reservation proper, but plays an important part in the economic and cultural life of the Quinault Indian Nation. The remainder of the Queets system lies within the Olympic National Park, Olympic National Forest, some private timber lands, and Washington State lands.

Other rivers drain the majority of the Reservation. The Raft and Moclips Rivers are almost entirely encompassed within the Quinault Indian Reservation. The Quinault River, nearly

equal in size to the Queets, drains the central area of the Reservation. The upper half of the river, above Lake Quinault, drains private, national park, and national forest lands.

Most of the other streams within the reservation are small streams, many only with seasonal flows. Their condition is highly variable, directly depending on the surrounding land use activities. Many of these small streams are in good condition and may or may not support the complete range of uses. Whereas the ones in poor condition result mostly from surface or stormwater runoff, flow alteration, and loss of riparian vegetation cover. Most of these problems are caused by non-point source pollution.

The current water quality conditions within the reservation will be analyzed using water quality data from the tribal water program for the four major rivers mentioned above and one of the minor ones. This will hopefully capture the health status of most of the reservation waters.

The current water quality conditions within the Quinault Indian Reservation are good. Occasionally, water quality readings from individual sampling stations have exceeded the U.S. EPA Colville-promulgated and comparable Washington State Water Quality Standards. However, these occasions appear to be isolated and not a typical trend.

Baseline water quality parameters have been collected from October 1994 to date. The data are limited which makes it difficult to observe any trends. The parameters used in this analysis are water temperature (in ^{o}C), turbidity (in nephelometric turbidity unit, NTU), dissolved oxygen (mg/L), and pH.

Currently there are twenty water quality-monitoring stations on the reservation, as can be seen from the Water Quality Monitoring Station Map. Water quality historical records for years prior to 1994 are lacking and sketchy at best. Also, no trends can be observed from the few data, where they existed. As discussed below, readings come from stations on five watersheds, namely: the Queets River, Salmon River, Raft River, Quinault River, and Moclips River. Water temperature, turbidity, dissolved oxygen (DO), and pH criteria are examined using the Hydrolab equipment for each watershed. The Hydrolab provides 4 to 5 readings per month and the analysis below is provided using these readings, with the exception of temperature. The Ryan temperature-monitoring device RL-100 was also used for continuous temperature recording during the summer months. There are other standards, but these ones apply the most to the existing data and are necessary to manage the QIN water resources and maintain the production of salmonid fish.

Queets River

The average monthly water temperature for the Queets River ranged from 4.53 ^{o}C in December 1996 to 16.5 ^{o}C in August 1996 with an annual average of 9.50 ^{o}C, as shown in Table 4 in Appendix A. This annual average water temperature is well below the EPA Colville-promulgated and Washington State temperature criterion of 16.0 ^{o}C for the protection of freshwater aquatic life for a Class AA water body (Washington State Department of Ecology

(WSDOE), 1997; U.S. EPA, 1991). There were only six days in 1996 that readings exceeded 16.0 °C.

The average monthly turbidity readings for the Queets River ranged from 1.70 NTU in August/September 1996 to 90.0 NTU in November 1995, as shown in Table 4 in Appendix A, with an annual average of 28.7 NTU. The annual average water turbidity readings exceeded the Washington State and EPA Colville-promulgated turbidity standard of 5 NTU for the protection of freshwater aquatic life for Classes AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991) each year. But these readings reflect only a limited number of days in each year when turbidity readings were over the WSDOE and EPA standard. There were only four days in 1995, thirty-nine days in 1996, and twenty-eight days in 1997 that readings exceeded 5 NTU. Annual averages for 1994 and 1998 are not included due to limited data.

The average monthly dissolved oxygen (DO) for the Queets River ranged from 7.81 mg/L in September 1997 to 14.1 mg/L in November 1998 at the Hartzel Valley Road (station #13) with an annual average of 11.4mg/L. This annual DO average is well above the WSDOE and EPA Colville-promulgated DO criteria of 9.5 and 8.0 mg/L for the protection of freshwater aquatic life for a Class AA and A water bodies respectively (WSDOE, 1997; U.S. EPA, 1991). There was only one month in September 1997 that average monthly DO reading was less 8.0 mg/L.

Similarly, the average monthly pH for this station #13 ranged from 6.7 in January 1997 to 7.6 in July 1997, as shown in Table 4, with an annual average of 7.1. This annual average pH is within the WSDOE and EPA criterion of between 6.5 and 8.5 for the protection of freshwater aquatic life for Class AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). There was only one month in January 1998 that average monthly pH reading was outside this range.

Salmon River

The average monthly water temperature for the Salmon River ranged from 4.61 °C in February 1996, at the West Boundary Road (station 3), to 16.3 °C in July 1995, at the Q1000 Road Bridge (station 1), as shown in Tables 1C and 1A respectively in Appendix A. The annual average temperature for all the stations was found to be 8.99 °C. This annual average water temperature is well below the WSDOE and EPA Colville-promulgated temperature criterion of 16.0 °C for the protection of freshwater aquatic life for a Class AA water body (WSDOE, 1997; U.S. EPA, 1991). Only on isolated days did temperature readings exceed 16.0 °C at any of the four sampling stations. For example, at Q1000 Road Bridge (station 1), water temperatures exceeded the 16.0 °C on only three days in 1995; two days in 1996; and fifty days in 1997. Temperature data for all the stations are incomplete for 1994 and 1998. See Appendix A for the rest of the temperature data for the Salmon River.

The average monthly turbidity readings for the Salmon River ranged from 0.27 NTU in March 1998 at station 3 to 19.0 NTU in November 1995 at station 4, as indicated in Tables 1C and 1D respectively. The annual average turbidity for all the stations was found to be 3.74 NTU. This annual average water turbidity reading is below the WSDOE and EPA Colville-

promulgated turbidity standard of 5 NTU for the protection of freshwater aquatic life for Classes AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). However, annual turbidity readings for the Salmon River exceeded the WSDOE and EPA standard in 1995 at all four sampling stations, see Appendix A. But these annual readings reflect only two days in 1995 when readings were over the standard.

The average monthly DO for all the sites at the Salmon River ranged from 7.03 mg/L in September 1997 to 13.9 mg/L in October 1998, at the Q1000 Road Bridge (station 1), with an annual average of 10.7 mg/L for all the stations. This annual average DO is well above the WSDOE and EPA Colville-promulgated criteria of 9.5 and 8.0 mg/L for the protection of freshwater aquatic life for Class AA and Class A water bodies respectively (WSDOE, 1997; U.S. EPA, 1991). The DO levels went below the 8.0 mg/L at all the sites in 1997. This happens to be an isolated event.

The average monthly pH, on the other hand, ranged from 6.2 in February 1995 at the Hatchery Outlet (station #4) to 7.7 in November 1997 at the Hatchery Intake (station #2), as depicted in Tables 1D and 1B respectively. The annual average pH for all the stations was found to be 6.8. Although this annual average pH is within the WSDOE and EPA Colville-promulgated criterion between 6.5 and 8.5 for the protection of freshwater aquatic life for Class AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991), several monthly readings were outside this range at all the four sampling stations.

Raft River

The average monthly water temperature for the Raft River ranged from 4.66 °C in December 1996 to 14.3 °C in July 1996, at the 4070 Bridge (station 15), as indicated in Table 5A in Appendix A, with an annual average of 10.3 °C for all the stations. This annual average water temperature is well below the WSDOE and EPA Colville-promulgated temperature criterion of 16.0 °C for the protection of freshwater aquatic life for a Class AA water body (WSDOE, 1997; U.S. EPA, 1991). Only on rare occasions did water temperature readings exceed 16.0 °C at the two sampling stations. The temperature standard was exceeded only nine days in 1995, two days in both 1996 and 1997 at the 4070 Bridge, and one day in 1996 at the West Boundary (station 16).

The average monthly turbidity readings for the Raft River ranged from 0.30 NTU in November 1996 at station 16 to 11.0 NTU in November 1995 at station 15, as shown in Tables 5B and 5A respectively in Appendix A, with an annual average of 2.27 NTU for the two stations. This annual average water turbidity reading is well below the WSDOE and EPA Colville-promulgated turbidity standard of 5 NTU for the protection of freshwater aquatic life for Classes AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). However, there were two days in 1995 and 1996 at station 15, and two days in 1995, 1997, and one day in 1996 that turbidity readings for the Raft River exceeded the water turbidity standard.

Average monthly DO for the two sites at the Raft River ranged from 6.98 mg/L in September 1997 to 12.7 mg/L in November 1998, at the 4070 Bridge (station 15), with an annual

average of 10.4 mg/L for all the stations. This annual average DO is above the WSDOE and EPA Colville-promulgated criteria of 9.5 and 8.0 mg/L for the protection of freshwater aquatic life for Class AA and Class A water bodies respectively (WSDOE, 1997; U.S. EPA, 1991). Only on isolated months in 1997 did DO readings go below the 8.0 mg/L at the two sites.

The average monthly pH ranged from 4.4 in January 1999 at the 4070 Bridge (station #15) to 7.2 in June 1996 at the West Boundary Road (station #16), as shown in Tables 5A and 5B respectively, with an annual average of 6.1 for the two stations. This annual average pH is below the WSDOE and EPA Colville-promulgated criterion of between 6.5 and 8.5 for the protection of freshwater aquatic life for Class AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). Average monthly pH readings were found outside this range at the two sampling stations on several occasions from 1994 to 1998, especially at the 4070 Bridge site.

Quinault River

The average monthly water temperature for the Quinault River ranged from 5.90 °C in February 1997 to 18.5 °C in August 1997, at the Highway 101 Bridge (station 8), see Table 3A in Appendix A, with an annual average of 15.7 °C for the two stations. This annual average water temperature is close the WSDOE and EPA Colville-promulgated temperature criterion of 16.0 °C for the protection of freshwater aquatic life for a Class AA water body (WSDOE, 1997; U.S. EPA, 1991). All the annual average temperature readings, at station 8, exceeded water temperature criterion of 16.0 °C, except in 1998 due to limited data. This is because Lake Quinault, with a huge surface area, acts as a heat sink (heating basin). At the 7000 Line Chow Chow Bridge (station 10), annual average temperatures exceeded WSDOE and EPA temperature criterion only in 1995 and 1996. Temperature standard was exceeded eighty-seven days, eighty-six days, and thirty nine days in 1995, 1996, and 1997 respectively at station 8, and eighty three days, seventy one days, and seven days in 1995, 1996, and 1997 respectively at station 10.

The average monthly turbidity readings for the Quinault River ranged from 0.50 NTU in August 1997 at station 8 to 37.3 NTU in December 1995 at station 10, as indicated in Tables 3A and 3B respectively in Appendix A, with an annual average of 11.3 NTU for the two stations. This annual average water turbidity reading is well above the WSDOE and EPA Colville-promulgated turbidity standard of 5 NTU for the protection of freshwater aquatic life for Classes AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). Even though the annual turbidity exceeds the criterion, the high annual readings are the result of relatively few days with very high turbidity is some cases. There were five days in 1995, twenty days in 1996, and seven days in 1997 at station 8, and four days in 1995, eighteen days in 1996, fourteen days in 1997, and four days in 1998 that turbidity readings for the Quinault River exceeded the water turbidity standard.

Average monthly DO for the two sites at the Quinault River ranged from 6.14 mg/L in September 1997, at the Highway 101 Bridge (station #8), see Table 3A, to 13.0 mg/L in November 1998, at the Chow Chow Bridge 7000 Line North (station 10), see Table 3B, with an annual average of 10.0 mg/L for the two stations. This annual average DO is above the WSDOE and EPA Colville-promulgated criteria of 9.5 and 8.0 mg/L for the protection of freshwater

aquatic life for Class AA and Class A water bodies respectively (WSDOE, 1997; U.S. EPA, 1991). Only on isolated months in 1996 and 1997 did DO readings go below the 8.0 mg/L at the two sites.

The average monthly pH ranged from 6.5 in January 1997 to 7.7 in September 1998 at the Highway 101 Bridge (station #8), with an annual average of 6.96 for the two stations. This annual average pH is within the WSDOE and EPA Colville-promulgated criterion of between 6.5 and 8.5 for the protection of freshwater aquatic life for Class AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). Average monthly pH readings were found outside this range at the two sampling stations on few occasions in 1995, 1997, and 1998.

Moclips River

The average monthly water temperature for the Moclips River ranged from 5.26 °C in February 1998 to 16.4 °C in August 1997, at the F1.1 Bridge (station 6), with an annual average temperature of 11.8 °C for the two stations. This annual average water temperature is well below the WSDOE and EPA Colville-promulgated temperature criterion of 16.0 °C for the protection of freshwater aquatic life for a Class AA water body (WSDOE, 1997; U.S. EPA, 1991). Only on rare occasions did water temperature readings exceed 16.0 °C at the two sampling stations. Temperature standard was exceeded only seven days in 1995, six days in 1996, and nine days in 1997 at the North Fork Moclips 4 Way-7000 Line North (station 5); and sixteen days in 1995, twenty two days in 1996, and one day in 1997 at the F1.1 Bridge (station 5).

The average monthly turbidity readings for the Moclips River ranged from 0.24 NTU in August 1997 at station 5 to 2.59 NTU in April 1996 at station 6, as shown in Tables 2A and 2B respectively in Appendix A, with an annual average of 1.29 NTU for the two stations. This annual average water turbidity reading is well below the WSDOE and EPA Colville-promulgated turbidity standard of 5 NTU for the protection of freshwater aquatic life for Classes AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). Water turbidity standard was exceeded only once in 1997 at station 6.

The average monthly DO for the two sites at the Moclips River ranged from 6.47 mg/L in September 1997, at the North Fork Moclips 4-Way (station #5), to 12.5 mg/L in November 1994, at the Moclips River F1.1 Bridge (station 6), with an annual average of 10.2 mg/L for the two stations. This annual average DO is above the WSDOE and EPA Colville-promulgated criteria of 9.5 and 8.0 mg/L for the protection of freshwater aquatic life for Class AA and Class A water bodies respectively (WSDOE, 1997; U.S. EPA, 1991). Only on isolated months in 1995, 1996 and 1997 did DO readings go below the 8.0 mg/L at the two sites.

The average monthly pH ranged from 3.9 in January 1997, at the Moclips River F1.1 Bridge (station 6), to 6.2 in August 1997 at the North Fork Moclips 4-Way (station #5), as depicted in Tables 2B and 2A respectively, with an annual average of 4.9 for the two stations. This annual average pH is well below the WSDOE and EPA Colville-promulgated criterion of between 6.5 and 8.5 for the protection of freshwater aquatic life for Class AA and A water

bodies (WSDOE, 1997; U.S. EPA, 1991). Average monthly pH readings were found outside this range at the two sampling stations on several occasions from 1994 to 1998. However, Moclips River is known for having a natural occurring acidic condition that may not have been due to any human influence.

The tribe has a limited number of programs in place to deal with issues relating to non-point source water pollution. However, the tribe has embarked on environmental education programs to inform tribal members and staff to the various types of pollution and potential mitigation measures to combat water pollution. For example, the tribe has adopted or is the process of adopting the Preferred Alternative in the Environmental Assessment to guide current and future timber harvesting activities on the QIR. Also, erosion and sediment control measures are required for all construction projects. For example, a sediment catchment basin was constructed for the new Quinault Housing Development and sediment control measures are also being implemented for the construction of the new Taholah drinking water line.

Tribal programs for controlling non-point sources of pollution are still at a developmental stage and would continue to evolve with adequate funding over the years.

Results

There are five potential sources of non-point pollution resulting from human activities on the reservation namely residential runoff, runoff from logging and related activities, roadway runoff, failing septic tank systems, and runoff from construction operations (new developments), see Table 1-2. All these activities have different impacts on water quality. The impacts of NPS pollution from residential runoff on water quality are inconsequential compared to other sources due to the minimal acreage of residential area on the QIR (see Table 1-1). Hence, attention will focus on the other four sources from this point on.

Table 1-2. Water Bodies and their Associated Pollutants.

Waterbody	Pollutant	Potential Pollutant	Source	Severity
Queets	Sediment, Temp.		Logging, roads, riparian cover loss	Moderate
Salmon	Sediment, pH, Temp.		Logging, roads, riparian cover loss	Moderate
Raft	pH, Temp.		Logging, roads, riparian cover loss	Moderate
Quinault River	Temperature	Fecal coliform	Logging, roads, riparian cover loss	High
Moclips	pH, Temperature.		Logging, roads, riparian cover loss	Moderate
Lake Quinault	Temperature	Fecal coliform	Roads, surface area, septic, development	High

Existing data and observation of conditions where no or little data exists indicate that the lack of support of beneficial uses are primarily due to deterioration in water quality parameters such as temperature, sediment, pH, and fecal coliform. These parameters are for the surface waters of the reservation since no groundwater monitoring has been done yet. Table 1-2 shows the water bodies and their associated pollutants.

Stream Temperature

This parameter is monitored the most in both our weekly sampling protocol and during the summer low flows. As mentioned earlier, there are several occasions, at different water quality sampling stations, when water temperature exceeded the WSDOE and EPA Colville-promulgated temperature criterion of 16.0 ^{o}C for the protection of freshwater aquatic life for a Class AA water body (WSDOE, 1997; U.S. EPA, 1991). Table 1-3 shows the number of days per year that temperature criterion was exceeded at each site. This usually occurs mid-June through to September, and the primary causes of high-stream temperatures are removal of riparian vegetation (habitat alteration) from logging operations and summer low flow conditions.

Sediment

The QIN Water Quality staff has been collecting turbidity data to characterize sediment from the monitoring stations since 1994. There is a strong correlation between high stream turbidity and elevated sediment transport within streams. Data to date indicates a number of stations with water turbidity data exceeding the water quality criterion for the protection of freshwater aquatic life for a Class AA water body (WSDOE, 1997; U.S. EPA, 1991). Table 1-3 shows the number of days per year that turbidity criterion was exceeded at each site. High stream turbidity is usually observed during the winter months due to high rainfall events and their associated stream peak flows. Similarly, coarse sediment contribution from landslides and fine sediments from logging roads and surface erosions are quite common in this region during this period.

pH

The average annual pH for most streams is rarely outside the pH range of 6.5 to 8.5 designated for the protection of freshwater aquatic life for Class AA and A water bodies (WSDOE, 1997; U.S. EPA, 1991). The only exceptions are the Raft and Moclips Rivers with annual pH values of 6.1 and 4.9 respectively. In fact, Table 1-3 shows the number of days per year that pH values were outside the range of 6.5 to 8.5 at each site. Raft River's low pH could have been due to human disturbance over the years, whereas the Moclips River is known for having a natural occurring acidic condition that may not have been due to any human influence.

Nutrients and Fecal Coliform

Due to limited fund availability, the Water Quality staff could not embark on nitrogen, phosphorous, and fecal coliform sampling on the Quinault Indian Reservation. Current water quality data tend to indicate that Lake Quinault is nutrient limited. Agricultural activities on the reservation are limited if any, but there is a potential for fecal coliform contamination around

Lake Quinault. The source is mostly from failing septic tank systems. The septic tank survey on the south shore of the lake, initiated by the U.S. Forest Service (USFS), yielded a very disappointing result. Of the 68 septic tank systems surveyed in 1995, 65% of the systems had medium to high potential of fecal coliform contamination. Most of these homes with high contamination potential were lakefront properties (approximately 91%). Also, of all the systems inspected, 51% were cesspools/corroded steel tanks with medium to high contamination potential. Only 35% of all the systems surveyed were classified as very low to low contamination potential (Berglund et al., 1995). This south shore septic tank survey result is probably applicable to the other residences surrounding the lake.

Table 1-3. Number of Days per Year Water Quality Criteria were Exceeded.

Waterbody/Parameters	Number of Days Parameters were Exceeded	Year
Queets River		
Temperature	6	1996
Turbidity	4,39,28,10	1995,96,97, & 98
PH	0	
Salmon River		
Temperature	4,5,29,26	1995,96,97, & 98
Turbidity	2,2,3,1,	1995,96,97, & 98
PH	12,7,5,3	1995,96,97, & 98
Raft River		
Temperature	9,2,2	1995,96, & 97
Turbidity	1,1,1	1995,96, & 97
PH	36,27,16,18	1995,96,97, & 98
Quinault River		
Temperature	85,79,23	1995,96, & 97
Turbidity	5,19,11	1995,96, & 97
PH	2,1	1995 & 98
Moclips River		
Temperature	12,15,5	1995,96, & 97
Turbidity	1	1997
PH	62,56,30,39	1995,96,97, & 98

Note: Water Quality Criteria Used- **# of Days Temperature > 16.0 °C**
# of Days Turbidity ≥ 5 NTU
# of Days pH Outside 6.5-8.5

The U.S. FS has proposed an upgrade of the current sewer collection system that would handle between 100,000 and 130,000 gallons per day (GPD). The proposed project would serve all sewage treatment needs in the area between the QIN Fish Hatchery (Township 23 North, Range 9 West, Section 30) and the Rain Forest Resort Village (Section 16). Upon completion, the new plant facility would meet the requirements of the federal, state, and county regulations as well as water quality requirements. However, this will only take care of potential fecal coliform problems on the South shore of the lake.

Discussion

Temperature and sediments are usually the water quality parameters of immediate interest to researchers because of their direct impacts on the aquatic environment. For example, Macdonald et al. (1991) reported the optimum and lethal temperatures for salmonid fish in the range from 12 to 14 °C and 20 to 25 °C respectively, and a lethal temperature range of 23 to 29 °C according to Rashin et al. (1993). The stream temperature is monitored the most on the QIR and probably has the best record for conducting environmental impact evaluations. Stream temperature criterion for the protection of freshwater aquatic life was exceeded at most of the streams during the summer low flows months. The Lower Quinault, Salmon, and Moclips Rivers have the most number of days that the temperature criterion was exceeded, as shown in Table 1-3. The fundamental causes of high stream temperatures are removal of riparian vegetation (habitat alteration), especially on small tributary streams, surface heating of exposed large clear-cut plot of lands near streams, and losing-stream water withdrawal (flow alteration).

The excessive turbidity levels in the Queets River, Quinault River, and Salmon River, especially in the form of suspended solids, can contribute to a variety of problems. The problems range from objectionable appearances and increased turbidity, which can in turn, lower dissolved oxygen concentration to reduce prey capture for predatory sight feeders. Other effects can include the clogging of fish gills and invertebrate filters, reducing spawning and juvenile fish survival, smothering of bottom dwelling aquatic organisms such as benthal organisms, and introducing of solid-laden pollutants into the water column (Asplund et al., 1982; B.C. Research Corporation, 1991). The primary sources of sediment in these streams are from unpaved logging roads' stormwater runoff and logging activities.

The Raft, Salmon, and Moclips Rivers have high number of days the pH was outside the range of 6.5 to 8.5 deemed suitable for freshwater aquatic life. The pH of a solution is a measure of the hydrogen ions (H^+) present. Changes in the pH of the water can affect aquatic biota. According to Kushner (1993), the outer layer of micro-organisms, as well as all cells, have a net negative charge due to carboxylic acids and phosphate groups. These outer cells usually attract metal cations. With the lowering of pH, however, the available hydrogen ions (H^+) compete with the metals for sites. The microbial organisms, in an effort to maintain a near neutral internal pH when surrounded by extremely low pH values, are exposed to stressful conditions, which might affect their reaction to toxins. For example, Hall and Anderson (1988) reported an increased metal toxicity to daphnia with a decrease in pH from 8 to 5. Similarly, a decrease in pH tends to increase the solubility (or bioavailability) of toxic metals (Bradley and Sprague, 1985).

The tribe currently does not monitor a fecal coliform parameter, however the potential contamination on Lake Quinault is considered significant. Limited old fecal coliform sampling records from 1959-1980 from the U.S. Geological Service indicated different levels of contamination depending on the methodology used (Quinault Indian Nation, 1999). The source of fecal coliform potential contamination to Lake Quinault is mostly from failing septic tank systems around the lake. Failing septic tank systems contain hazardous household substances, bacteria, viruses and other microorganisms that can be harmful to humans. These contaminants can affect the public water supply as well as recreational and aesthetic uses of water. Similarly,

bacterial contamination has resulted in the closure of commercial and recreational shellfish beds and can affect the harvesting of other fish. The QIN has a hatchery operation on Lake Quinault, hence the reason for concern for any potential water pollution.

Possible mitigation measures for temperature and sediments would include increasing the riparian buffer widths for streams as well as reducing the size of impervious land surfaces and their propinquity to water bodies. This would lead to overall improvements in water quality. The primary reason for this water quality improvement will be due to increases in buffer zone widths with appropriate vegetation as well as decreases in the amount of disturbed land surfaces. Vegetated surfaces have been known to reduce runoff velocity and enhance the settling process, filter the suspended solids, increase infiltration rates and remove runoff contaminants. Research to date indicates that sediments are the contaminant removed the most by land vegetation cover (Mar et al., 1981; Yousef et al., 1985; Onwumere, 1996).

Selection of Best Management Practices

Core Participants, Public Participation and Governmental Coordination

The QIN implements best management practices (BMPs) through the administration of the Natural Resources Management Act, Title 61 (NRMA) and the Interdisciplinary (ID) Team process. The QIN-NRMA contains rules, regulations; codes of conduct, and law governing sustainable land management on the QIR. The ID Team process involves QIN and Bureau of Indian Affairs (BIA) staff, which is composed of specialists from Wildlife Biology, Cultural Resources, Silviculture, Field Forestry, Soils Science, Water Quality, and Fish Biology. These professionals use several approaches to scope issues and concerns relating to sustainable land management on the QIR. The ultimate goal is to design BMPs that provide protection against impacts of logging, road constructions, soil erosion, pollution from failing septic tank systems, fertilizer and pesticide applications, oil spills, and other toxic wastes. The other goals as outlined in the QIN Forest Management Plan (FMP) are:

1. To perpetually maintain the Quinault Indian Reservation's timber resource in an economically viable state;
2. To restore and maintain riparian habitat to support a harvestable supply of fish;
3. To maintain a suitable level of protection and enhancement for aquatic and riparian-dependent species;
4. To meet the needs of the Endangered Species Act (ESA) for aquatic and riparian-dependent species; and
5. To meet the requirements of the Clean Water Act (CWA) for water quality.

For example, both structural (e.g., detention basins) and nonstructural BMPs (e.g., vegetative buffers and swales) can and have been used to mitigate the impacts of stormwater runoff as well as for flow attenuation on reservation lands.

The QIN and BIA initiated the Forest Management Planning process in the early 1990s by implementing a scoping process for an Environmental Assessment (EA). The ID Team members were tasked with scoping issues and concerns. Included in the scoping process was a

landscape ecology planning approach called "Forest Landscape Analysis and Design" (FLAD) to evaluate the existing condition of the Quinault Indian Reservation landscape. Additional issues and concerns were identified through a landowner and user questionnaire conducted in May - June 1995. Public issues and concerns were also solicited at public meetings held at Taholah and Aberdeen in August 1995. Alternatives 1 through 4 evolved out of this early scoping process and were presented to the QIN Business Committee in late 1995 to determine whether the proposed alternatives met the needs of the affected parties.

Concurrent with the above process, the QIN, the Olympic National Forest, and the Olympic National Park cooperatively conducted a watershed analysis of the upper and lower Quinault River basin (Quinault Watershed Analysis-QWSA). Results from this study, combined with a literary review of other scientific research conducted on streams, rivers, and watersheds, evaluated different levels of riparian management zones (RMZs) and how effective they were in protecting fish habitat. The highest level of protection was derived from the FEMAT document and included 300-foot buffers on Types 1-3 streams, and 150 foot buffers on perennial Type 4 streams and 100 foot buffers on intermittent Type 4 streams. It also recommended 100 foot horizontal distance buffers on Types 1-3 water and 50 foot buffers on perennial Type 4 waters as this level of RMZ would provide about 80% of the historical large woody debris (LWD) recruitment within the fish bearing network and should provide adequate shade for temperature control.

Given the information from the QWSA, the Business Committee requested that a fifth alternative be developed that would not only incorporate the findings of this study, but also protect the landowner's economic interests. Alternative 5 was crafted as a blending of the original Alternative 1 (Current Practices) and Alternative 2 (Fish Habitat/Water Quality). The riparian strategy in Alternative 5 was designed to capture approximately 80% of the potential large woody debris on fish bearing streams, and 60% on streams without fish. It was expected to maintain 100% of stream shade and nutrient litter from the RMZs for fish bearing streams.

Throughout this process, several fish species in the Northwest were listed as threatened or endangered under the Endangered Species Act (ESA). Threatened species include Snake River and Lake Ozette sockeye, Puget Sound Chinook salmon, Snake River and Lower Columbia steelhead, and Hood Canal summer chum. Upper Columbia steelhead was listed as endangered. Furthermore, the Columbia River and Klamath Basin District Population Segments (DPSs) of bull trout were listed as threatened on June 10, 1998, and, most significant to the QIR, the Coastal/Puget Sound and St. Mary-Belly River DPSs of bull trout were listed as threatened on November 1, 1999.

Given these recent ESA listings and the inadequacy of the EA, a decision was made to modify Alternative 5, to a lesser amount, to incorporate most of the standards found within the *Forests and Fish Report* (Washington State April 29, 1999). This modification was in response to the acceptance of the report's standards by the National Marine Fisheries Service, the U. S. Fish and Wildlife Service, and the Environmental Protection Agency as meeting the needs of threatened and endangered species. Furthermore, the intent was to increase the protection provided to the Nation's fish habitat, and meet the provisions of the Clean Water Act. However, the modified Alternative 5 resulted in reductions in the Forest and Fish Report level of protection to accommodate the concerns and needs of small allotted landowners.

The QIN hopes to further develop several tribal guidelines and BMPs to foster sustainable land and environmental management on the reservation.

Specific Programs

The tribe just received a U.S. EPA CWA Section 106 grant earmarked for pollution control programs for the first time and, upon approval of this plan, will apply for CWA Section 319 funding.

The QIN Water Quality Program has been conducting water quality monitoring from twenty sampling stations (see attached map of water quality sampling stations) since 1994 using the General Assistance Program (GAP) grants. The main objective is to collect baseline water quality data such as temperature, turbidity, conductivity and pH, which will be used to determine if there are any adverse effects on water quality, caused by current and possible future timber harvesting. Another long-term objective is to recommend and adopt best management practices (BMPs) that will reduce or prevent adverse impacts on the water quality from any timber harvesting activities. The data collected, so far, is stored in a water quality database and used to assess and prioritize non-point and point sources of pollution. The current challenge is to develop potential solutions to these problems as well as provide affordable management plans. Some of those management plans are being developed in the on-going QIN-FMP. The QIN keeps a priority list of stream segments and lakes with water quality problems and hopes to develop further management programs for these water bodies, as resources become available.

Existing BMPs

Under the authority of the Quinault Business Committee (QBC) and the Land and Natural Resources Committee (LNRC), several guidelines have been established pertaining to developing BMPs for the entire reservation. Some of the current guidelines include the QIN Natural Resources Management Act, Title 61, the Comprehensive Land Use Plan for the Quinault Indian Reservation, and the new Forest Management Plan and Environmental Assessment. The tribe delegates the development and management of all natural resources to the LNRC as well as the mandate to oversee rules and regulations, and BMPs development.

Most of the existing BMPs, where applicable, are designed to provide protection against impacts of logging, road constructions, new developments, soil erosion, pollution from failing septic tank systems, fertilizer and pesticide applications, oil spills, and other toxic wastes. Table 1-4 shows the four main NPS pollution sources and their current BMPs on the QIR.

Pollution Reduction

The Quinault Indian Nation's Section 319 program will emphasize pollution prevention, since the economy of the tribe has been largely resource-based, primarily on fishing and timber. Therefore, the process for identifying BMPs for these resources will consist of guidelines already outlined in the QIN-NRMA, on-going FMP, EA, and several U.S. Environmental Protection Agency (EPA) NPS Pollution Guidance documents. The BMPs selected will address new developments, stormwater runoff from logging activities and road constructions, and failing

septic tank systems around Lake Quinault. Additional BMPs may be required to address wetland protection, stream bank or slope stabilization, oil spills, pesticide and fertilizer applications. Similarly, other divisions within the QIN and the ID Team may develop new or site-specific BMPs if appropriate ones do not exist or are inefficient in solving the problems. Part of the pollution reduction procedure is implementation of an Adaptive Management as part of the evaluation process.

Table 1-4. Existing BMPs on the QIR.

Non-Point Sources of Pollution	Current BMPs
New Developments	• Structural BMPs such as detention or settling ponds. • Non-structural BMPs such as swales and vegetative covers.
Logging Activities	• Use of mechanical harvesters/processors to minimize compaction and channelization. • Low ground pressure equipment requirements. • Replanting within one year of harvest. • Designated skid trails. • Leading end suspension on logs yarded by cable systems. • Seasonal restrictions on wet sites. • No timber hauling during major rainstorm events. • Application of surface mulch to reduce and minimize soil erosion and compaction. • Removal of culverts/structures to return landscape to pre-logging condition.
Road Constructions	• Better road construction and reconstruction. • Seasonal pre-roading to minimize road construction during wet months. • Channelling stormwater runoff away from streams to forestlands. • Use of structural BMPs such as detention or settling ponds near sensitive streams, when deemed necessary. • Non-structural BMPs such as swales and vegetative covers, when deemed necessary.
Failing Septic Tank Systems	• Accurate survey of all the residential failing septic systems around Lake Quinault. • Preliminary investigation of potential coliform contamination around Lake Quinault.

An Adaptive Management program is necessary to monitor and assess the implementation/consequences of the management guidelines set forth in the forest management plan as well as in other environmental management guidelines. Adaptive Management is a formal process for evaluating the effectiveness of rules in protecting, maintaining, and rehabilitating fish and wildlife habitat as well as preserving water quality. This process will

provide the guidance necessary for making adjustments to forest practices to achieve necessary resource protection objectives.

Non-point source water pollution is a growing threat to the tribal environment and public health. It's the accumulation of sediment, chemicals, toxics, nutrients, debris and pathogens that rain water and snow melt pick up and carry into the nearest body of water. Sometimes non-point pollution can be traced to several sources; other times it cannot be traced at all. The tribe is trying to be proactive in addressing NPS pollution, hence is looking for tools to achieve cleaner water through non-point source management. Some of the tools are regulatory while the majority are through voluntary programs. For example, under regulation, the tribe is considering implementing guidelines to better protect fish-bearing streams under the Riparian Management Zone (RMZ) subsection of the FMP. Under voluntary programs, the QIN has conducted two watershed analyses with major efforts to address water quality and other environmental problems in these watersheds. As a result, both tools, regulatory and voluntary, would be used in pollution prevention on the QIR.

Non-Point Source Control Programs

Apart from several guidelines developed over the years, the tribe has no well established programs in place to deal with the issues relating to non-point source pollution. The tribe continues to explore the possibilities of creating such programs despite lack of funding to accurately determine the extent of NPS problems on the reservation. Although the tribe incorporates BMPs into tribal projects and watershed management decision-making processes as much as possible, a well-established NPS program is required to protect tribal resources and community development activities.

In spite of all the work accomplished to date, salmon recovery and protection require more urgent efforts to control NPS pollution. Deterioration in both surface and groundwater qualities, and increasing incidence of shellfish bed closures are further indicators that pollution is increasing more than tribal efforts to prevent it. Although many innovative approaches are available for treating NPS pollution, several factors limit their success: the high cost of fixing old problems, local land use decisions, the lack of unified coordinated efforts, inadequate funding, general lack of data/insufficient research, and the lack of information concerning watershed processes and conditions.

With these constraints in mind, the tribe, in the past, has implemented regulations, guidelines, and BMPs that protect QIN's natural resources from non-point pollution. The programs listed below reflect current efforts and creative, practical new ideas from the tribe, tribal partners, and interested citizens to control NPS pollution.

New Developments

The Quinault Department of Community Development (QDCD) and Quinault Housing Authority (QHA) identify lands suitable for new developments as well as for conservation, while the Quinault Department of Natural Resources (QDNR) provides the technical evaluations. The QDNR will require the project lead to submit an Environmental Checklist detailing potential

impacts of the project and possible NPS mitigation measures to prevent pollution. The measures usually include, but are not limited to:

- Structural BMPs such as detention or settling ponds.
- Non-structural BMPs such as swales and vegetative covers.
- Silt fences to prevent sediment transport.
- Encourage practices that result in flow attenuation.
- Minimize flow channelization.
- Minimize soil compaction and enhance infiltration capacity.

Logging

The Quinault Forestry Division (QFD), Quinault Land and Timber Enterprise (QLTE), and BIA Forestry Division (BIAFD) follow guidelines outlined in the QIN-NRMA as well as use the ID Team process to evaluate potential impacts of all the timber logging activities on the QIN and Trust Lands. These guidelines try to encourage the use of BMPs to promote sustainable logging activities. Both the QIN-NRMA and the current FMP advocate for programs with guidelines that are not limited to, but include the following:

- Use of motorized carriage for better yarding.
- Use of mechanical harvesters/processors to minimize compaction and channelization.
- Low ground pressure equipment requirements.
- Replanting within one year of harvest.
- Designated skid trails.
- Leading end suspension on logs yarded by cable systems.
- Seasonal restrictions on wet sites.
- No timber hauling during major rainstorm events.
- Application of surface mulch to reduce and minimize soil erosion and compaction.
- Removal of culverts/structures to return landscape to pre-logging condition.
- Limitation on the size of the clear-cut.
- Encourages and enforces regulating RMZ buffers on streams.
- Enforces reasonable rotation age depending on the species.
- Will promote reasonable wildlife green-up and wildlife reserve trees.
- Promotes adequate large woody debris recruitment in RMZs.
- Reinforces stream bank stabilization.
- Reduces or prevents any logging activity within the channel migration zones (CMZ) or unstable slopes.
- Reforest within a time limit.

Road Constructions

The Quinault Department of Community Development (QDCD) oversees the construction of new roads and maintenance of old ones while the construction and maintenance of logging roads fall under the jurisdiction of the QDNR, BIA, and ID Team Process. Table 1-5 shows the density of roads and total road drainage areas by watershed on the QIR.

Table 1-5. Road Density and Total Road Drainage Areas by Watershed on the QIR.

Watersheds	Watershed Area (acres)	Paved Road Area (acres)	Gravel Road Area (acres)	Total Road Area (acres)	% Road Area Per Watershed
Queets River	10,203	41	101	124	1.39
Raft River	71,720	34	872	907	1.26
Salmon River	10,988	17	126	143	1.30
Quinault River	90,035	56	912	968	1.08
Moclips River	24,129	30	195	225	0.93
Total	**207,075**	**178**	**2,205**	**2,383**	**N/A**

The new road constructions follow the guidelines in the QIN-NRMA, affordable BMPs, and any modification(s) authorized by the ID Team members. Some of the program guidelines are, but not limited to:

- Better road construction and reconstruction.
- Seasonal pre-roading to minimize road construction during wet months.
- Channelling stormwater runoff away from streams to forestlands.
- Use of structural BMPs such as detention or settling ponds near sensitive streams, when deemed necessary.
- Non-structural BMPs such as swales and vegetative covers, when deemed necessary.
- Reducing the amount and usage of gravel at wet sites.
- Use of alternate road surfacing, e.g. woods chips.
- Better culvert sizing to accommodate extreme rainfall events.

Failing Septic Tank Systems

The U.S. FS, after the survey of the failing septic tank systems on the South shore Road of Lake Quinault in 1995, set up a committee to evaluate the issues and concerns of potential coliform contamination. The committee recommended expanding the current sewage treatment facility to accommodate all current and future South shore residents. Construction of this sewage facility expansion is yet to begin. But other possible contamination sources exist with other residents in Amanda Park and the North shore areas adjoining the lake. There is no established program yet to deal with this problem, but there is a need for one that would emphasize the following:

- Accurate survey of all the failing septic systems on all residences and commercial properties surrounding the lake.
- Preliminary investigation of potential coliform contamination around Lake Quinault, e.g., water sample collection, laboratory analysis for coliform and survey of all the points of coliform introduction to the lake.
- Set up a Growth Management Committee to evaluate the impacts of future growth around the lake.

- Form a Lake Quinault Basin Management Team comprised of QIN, U.S. Forest Service, U.S. National Park Service, the County and a representative(s) from private landowners. This team will be responsible for, but not limited to, the duties listed below:
    - Initiation of septic surveys for Lake Quinault residents.
    - Establishing criteria for installation of new septic tank systems.
    - Recommendations on retrofitting old septic systems.
    - Initiation of preventative programs for water pollution.
    - Evaluation of non-compliance and enforcement procedures.
    - Setting up programs to protect the lake.
- Perform water budget and establish trophic status of the lake for future management.

Conclusions

The Quinault Indian Nation recognizes that preservation of surface and groundwater quality, maintaining sustainable logging, and healthy fish populations are crucial for tribal economic growth and survival. Four non-point sources of pollution are responsible for threatening or impairing several water bodies on the QIR: new developments, logging, road constructions, and failing septic tank systems. Even though the QIN has no established BMPs program, several guidelines have been developed in the QIN-NRMA, Comprehensive Land Use Plan, on-going FMP and EA to use BMPs in planning and implementing projects on the reservation. The QIN Section 319 program will emphasize pollution prevention, since the economy of the tribe has been largely resource-based, primarily on fishing and timber. Therefore, the process for identifying BMPs for these resources will consist of guidelines already outlined in the QIN-NRMA, on-going FMP, EA, and several U.S. Environmental Protection Agency (EPA) NPS Pollution Guidance documents.

An Adaptive Management program is necessary to monitor and assess the implementation/consequences of the management guidelines set forth in the forest management plan as well as in other environmental management guidelines. Adaptive Management is a formal process for evaluating the effectiveness of rules in protecting, maintaining, and rehabilitating fish and wildlife habitat as well as preserving water quality. This process will provide the guidance necessary for making adjustments to forest practices to achieve necessary resource protection objectives.

The BMPs selected will address new developments, stormwater runoff from logging activities and road constructions, and failing septic tank systems around Lake Quinault. Additional BMPs may be required to address wetland protection, stream bank or slope stabilization, oil spills, pesticide and fertilizer applications. Similarly, other divisions within the QIN and the ID Team may develop new or site-specific BMPs if appropriate ones do not exist or are inefficient in solving the problems. The ultimate goal is to design BMPs that provide adequate resource protection without compromising economic sustainability of the future generation.

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Appendix

Appendix A. Water Quality Data.

Table AA. Water Quality Sampling Locations on the Quinault Indian Reservation.

Station Number	Location Description	Latitude	Longitude
1	**Salmon River-Q1000 Road Bridge**	**47° 32' 9.81"N**	**124° 11' 29.9"W**
2	Salmon River-Hatchery Intake	47° 31' 41.1"N	124° 10' 56.7"W
3	**Salmon River-West Boundary Road**	**47° 32' 4.00"N**	**124° 3' 38.0"W**
4	Salmon River-Hatchery Outlet	47° 31' 45.2"N	124° 11' 6.76"W
5	**N.F. Moclips 4-Way-7000 Line North**	**47° 15' 9.87"N**	**124° 10' 28.1"W**
6	Moclips River F1.1 Bridge	47° 15' 28.8"N	124° 7' 52.3"W
8	Quinault River-Highway 101 Bridge	47° 27' 31.8"N	123° 53' 21.1"W
9	Quinault River-Pruce Boys Road	47° 29' 41.9"N	123° 49' 3.55"W
10	**Chow Chow Bridge-7000 Line North**	**47° 21' 1.03"N**	**124° 11' 31.9"W**
11	Cook Creek-Hatchery Intake Moclips Hwy	47° 21' 4.57"N	123° 58' 46.6"W
12	**Cook Creek- Near Mouth F8-9 Road**	**47° 22' 2.26"N**	**124° 3' 41.3"W**
13	Queets-Hartzel Queets Valley Road	47° 33' 6.59"N	124° 12' 11.9"W
14	Clearwater River-Picnic Bar	47° 33' 23.8"N	124° 16' 59.8"W
15	**Raft River-4070 Bridge**	**47° 27' 18.8"N**	**124° 15' 14.6"W**
16	**Raft River-West Boundary Road**	**47° 30' 41.0"N**	**124° 5' 35.0"W**
18	**Boulder River South-Camp Seven Road**	**47° 26' 12.9"N**	**123° 55' 13.3"W**
19	Canyon Creek Bridge-7000 Line North	47° 20' 54.3"N	124° 14' 20.1"W
20	**Boulder River North-9100 Road**	**47° 25' 4.23"N**	**124° 3' 36.1"W**
21	**Raft Tributary 21.0357-4300 Road**	**47° 27' 35.6"N**	**124° 16' 17.5"W**
22	**Ten 0' Clock Creek-9105 Bridge**	**47° 27' 44.9"N**	**124° 1' 20.9"W**

Note: 1) Highlighted stations are the ones with summer Ryan RL 100 temperature monitoring device deployment.
2) N.F--North Fork.
3) N--North and W-- West.

Appendix (Cont'd)

Appendix A. Water Quality Data.

Table 1A. Salmon River Water Quality Data

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
1	1994	10	9.39		6.33	11.73
1	1994	11	7.12		6.85	**13.46**
1	1994	12	6.76		6.65	12.40
1	1995	1	7.46		6.59	11.76
1	1995	2	7.06		6.48	11.56
1	1995	3	6.61		6.57	11.92
1	1995	4	7.11		6.77	11.82
1	1995	5	9.73		6.87	11.07
1	1995	6	12.24		6.82	10.32
1	1995	7	16.27		6.84	9.37
1	1995	8	14.20		6.87	10.08
1	1995	9	13.79		6.84	9.77
1	1995	10	9.99		6.65	10.93
1	1995	11	8.35	17.00	6.70	11.24
1	1995	12	7.67	7.73	6.71	11.32
1	1996	1	6.05	2.77	6.81	11.71
1	1996	2	6.10	2.34	6.67	11.93
1	1996	3	7.19	1.16	6.85	12.11
1	1996	4	8.44	2.25	6.75	11.47
1	1996	5	9.14	1.25	6.97	11.41
1	1996	6	12.04	1.08	7.07	10.67
1	1996	7	15.13	0.74	6.88	9.39
1	1996	8	15.63	0.47	6.98	9.28
1	1996	9	11.54	0.50	6.93	10.14
1	1996	10	10.94	0.93	6.66	10.45
1	1996	11	6.11	0.81	6.59	9.97
1	1996	12	4.83	0.61	6.43	10.82
1	1997	1	7.19	3.71	**6.25**	10.79
1	1997	2	6.02	3.17	6.45	11.70
1	1997	3		1.13		
1	1997	4		3.50		
1	1997	5	12.34	0.92	7.01	10.16
1	1997	6	12.21	0.76	7.14	10.17
1	1997	7	13.86	2.33	7.16	9.90
1	1997	8	15.89	0.84	6.79	8.26
1	1997	9	13.71	4.36	6.84	**7.03**
1	1997	10	9.73	1.55	6.97	8.19
1	1997	11	8.02	1.20	**7.22**	11.00
1	1997	12	5.88	1.15	6.88	11.29
1	1998	1	6.41	3.68	6.73	11.26

1	1998	2	5.37	1.41	6.77	8.32
1	1998	3	7.50	0.72	6.77	9.05
1	1998	4		0.47		
1	1998	5	11.24	0.30	6.93	10.99
1	1998	6	13.37	0.21	6.94	9.39
1	1998	7	15.20	0.29	6.88	9.14
1	1998	8	16.49	2.16	6.87	9.80
1	1998	9	14.78	0.39	6.84	9.17
1	1998	10	10.51	0.48	7.04	12.56
1	1998	11	8.71	2.72	6.60	11.68
1	1998	12	6.96	7.80	6.73	10.64
1	1999	1	6.46	16.28	6.79	
Minimum			**4.83**	**0.21**	**6.25**	**7.03**
Maximum			**16.49**	**17.00**	**7.22**	**13.46**

Table 1B. Salmon River Water Quality Data (Continued)

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
2	1994	10	9.39		6.46	10.59
2	1994	11	7.68		6.80	12.75
2	1994	12	6.76		6.64	12.37
2	1995	1	7.44		6.52	11.84
2	1995	2	7.06		6.40	11.61
2	1995	3	6.60		6.60	11.95
2	1995	4	7.15		6.78	11.81
2	1995	5	9.88		6.93	11.05
2	1995	6	12.33		6.82	10.38
2	1995	7	16.06		6.70	9.49
2	1995	8	14.31		6.87	10.11
2	1995	9	14.03		6.94	10.12
2	1995	10	9.99		6.78	10.98
2	1995	11	8.09	14.00	6.70	11.33
2	1995	12	7.54	10.10	7.09	11.55
2	1996	1	6.00	2.67	6.87	11.76
2	1996	2	6.06	2.50	6.73	11.99
2	1996	3	6.95	1.83	6.89	12.35
2	1996	4	8.11	2.59	6.93	11.68
2	1996	5	8.95	1.22	6.97	11.57
2	1996	6	11.89	0.97	7.15	10.81
2	1996	7	15.24	0.86	7.02	9.71
2	1996	8	15.73	0.68	6.98	9.43
2	1996	9	11.58	0.75	7.00	10.77
2	1996	10	10.87	1.15	6.61	10.43
2	1996	11		0.61		
2	1996	12	4.89	0.59	6.53	10.82
2	1997	1	7.19	2.81	**6.29**	10.65

2	1997	2	6.02	2.69	6.54	11.67
2	1997	3		2.85		
2	1997	4		3.14		
2	1997	5	11.45	2.22	6.89	10.23
2	1997	6	11.30	0.68	7.08	9.99
2	1997	7	12.25	1.86	7.22	9.79
2	1997	8	14.37	0.85	6.71	8.20
2	1997	9	13.53	4.01	6.97	**7.30**
2	1997	10	9.73	1.54	6.95	8.47
2	1997	11	8.13	1.32	**7.24**	10.82
2	1997	12	5.90	0.87	6.95	11.11
2	1998	1	6.47	4.39	6.72	11.33
2	1998	2	5.44	1.19	6.81	8.29
2	1998	3	7.82	0.60	6.82	9.46
2	1998	4		0.33		
2	1998	5	11.27	0.37	6.94	11.13
2	1998	6	12.85	0.20	7.06	9.16
2	1998	7	14.50	0.21	6.99	9.31
2	1998	8	14.50	0.10	6.90	10.14
2	1998	9	13.70	0.41	6.71	8.61
2	1998	10	10.41	0.42	7.09	**13.94**
2	1998	11	8.69	14.42	6.83	9.83
2	1998	12	7.01	7.93	6.73	11.07
2	1999	1	6.47	16.90	6.78	
Minimum			**4.89**	**0.10**	**6.29**	**7.30**
Maximum			**16.06**	**16.90**	**7.24**	**13.94**

Table 1C. Salmon River Water Quality Data (Continued)

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
3	1994	11	6.96		7.02	13.45
3	1994	12	6.54		6.40	12.13
3	1995	1	7.35		6.69	11.77
3	1995	2	6.37		6.59	11.86
3	1995	3	5.72		6.65	12.18
3	1995	4	6.28		6.81	11.81
3	1995	5	10.08		6.94	11.08
3	1995	6	11.07		6.78	10.85
3	1995	7	13.02		6.79	9.91
3	1995	8	11.83		6.88	10.31
3	1995	9	12.18		6.93	10.21
3	1995	10	8.89		6.94	11.16
3	1995	11	6.87	5.70	6.96	11.50
3	1995	12	6.24	4.85	7.02	11.79
3	1996	1	5.37	1.47	6.91	11.90
3	1996	2	4.61	1.49	6.88	12.02

	3	1996	3	5.13	0.89	6.94	12.29
	3	1996	4	6.90	1.72	6.86	11.69
	3	1996	5	7.58	0.95	7.06	11.67
	3	1996	6	10.39	0.74	7.13	11.25
	3	1996	7	13.19	0.58	7.02	9.94
	3	1996	8	13.20	0.45	7.07	9.75
	3	1996	9	10.83	0.58	7.13	10.77
	3	1996	10	10.31	5.14	6.66	10.93
	3	1996	11		0.40		
	3	1996	12	5.08	0.43	6.58	10.81
	3	1997	1	7.00	1.26	6.52	10.95
	3	1997	2	5.67	2.53	6.76	11.74
	3	1997	3		4.40		
	3	1997	4		1.74		
	3	1997	5	11.49	1.83	7.25	9.64
	3	1997	6	10.10	0.66	7.23	10.25
	3	1997	7	11.45	0.77	7.35	10.15
	3	1997	8	13.33	0.65	6.74	8.99
	3	1997	9	11.67	1.39	7.06	7.91
	3	1997	10	9.21	1.15	7.05	9.10
	3	1997	11	6.88	0.43	7.70	11.46
	3	1997	12	6.16	0.65	7.06	11.05
	3	1998	1	5.96	2.58	6.90	11.42
	3	1998	2	5.20	0.79	6.87	**7.85**
	3	1998	3	6.78	0.27	6.84	9.63
	3	1998	4		0.32		
	3	1998	5	9.30	0.31	7.06	11.46
	3	1998	6	11.22	0.18	6.99	9.56
	3	1998	7	12.94	0.31	6.92	9.32
	3	1998	8	13.54	0.11	7.02	10.72
	3	1998	9	12.08	0.20	7.03	10.43
	3	1998	10	9.52	0.27	7.03	13.23
	3	1998	11	8.32	5.64	6.66	12.36
	3	1998	12	6.97	2.15	6.76	10.39
	3	1999	1	6.45	4.85	6.91	
Minimum				**4.61**	**0.11**	**6.40**	**7.85**
Maximum				**13.54**	**5.70**	**7.70**	**13.45**

Table 1D. Salmon River Water Quality Data (Continued)

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
4	1994	10	9.47		6.18	8.73
4	1994	11	7.75		6.73	11.34
4	1994	12	6.84		6.75	11.28
4	1995	1	7.74		6.44	9.61
4	1995	2	7.24		6.16	8.81
4	1995	3	6.50		6.37	9.71
4	1995	4	7.12		6.44	9.93

4	1995	5	9.98		6.80	10.26
4	1995	6	12.39		6.67	9.72
4	1995	7	15.32		6.67	8.85
4	1995	8	14.30		6.68	8.98
4	1995	9	14.07		6.63	8.31
4	1995	10	10.15		6.52	9.56
4	1995	11	8.25	19.00	6.52	10.08
4	1995	12	7.54	8.83	6.55	9.89
4	1996	1	7.34	4.23	6.56	9.82
4	1996	2	5.92	4.07	6.46	10.35
4	1996	3	7.08	1.60	6.43	10.09
4	1996	4	8.30	2.60	6.55	10.34
4	1996	5	9.23	1.15	6.87	10.85
4	1996	6	12.00	1.13	6.76	9.45
4	1996	7	15.33	0.94	6.69	8.31
4	1996	8	15.69	0.68	6.89	8.36
4	1996	9	11.91	0.57	6.76	8.45
4	1996	10	10.97	1.19	6.41	8.69
4	1996	11		1.04		
4	1996	12	4.89	0.75	6.33	9.98
4	1997	1	7.21	3.48	6.17	9.57
4	1997	2	6.13	2.79	6.23	10.56
4	1997	3		1.15		
4	1997	4		4.16		
4	1997	5	11.56	2.87	6.76	10.17
4	1997	6	11.30	1.08	6.84	9.92
4	1997	7	12.73	2.29	6.93	9.24
4	1997	8	15.18	0.81	6.72	8.10
4	1997	9	13.08	3.97	6.66	**7.23**
4	1997	10	9.67	1.71	6.77	8.35
4	1997	11	9.69	1.07	6.63	9.54
4	1997	12	5.88	1.02	6.85	11.06
4	1998	1	5.49	4.82	6.59	9.96
4	1998	2	5.55	1.70	6.55	7.71
4	1998	3	6.95	0.87	6.69	7.83
4	1998	4		0.48		
4	1998	6	12.72	0.34	6.82	8.63
4	1998	7	14.80	0.35	6.68	8.30
4	1998	8	14.64	0.15	6.75	9.57
4	1998	9	13.63	0.33	6.68	8.46
4	1998	10	10.33	0.47	6.90	12.69
4	1998	11	9.03	12.25	6.48	11.96
4	1998	12	7.02	7.72	6.63	8.84
4	1999	1	6.48	15.10	6.72	
Minimum			**4.89**	**0.15**	**6.16**	**7.23**
Maximum			**15.69**	**19.00**	**6.93**	**12.69**

Table 2A. Moclips River Water Quality Data

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
5	1994	11	7.62		4.45	**12.11**
5	1994	12	7.36		4.41	11.19
5	1995	1	7.49		4.56	11.69
5	1995	2	7.72		4.47	11.09
5	1995	3	7.73		4.62	11.17
5	1995	4	8.94		4.91	10.91
5	1995	5	12.11		5.57	9.76
5	1995	6	14.88		5.38	8.86
5	1995	7	16.37		5.43	7.63
5	1995	8	15.23		5.48	8.63
5	1995	9	14.82		5.40	8.42
5	1995	10	11.00		4.76	10.06
5	1995	11	8.74	2.50	4.34	10.61
5	1995	12	7.17	1.72	4.50	10.87
5	1996	1	6.15	1.51	4.48	11.39
5	1996	2	5.63	1.65	4.58	11.64
5	1996	3	8.41	1.29	4.94	11.25
5	1996	4	9.88	1.65	4.68	10.68
5	1996	5	11.98	1.18	5.29	10.35
5	1996	6	14.05	0.83	5.92	9.54
5	1996	7	16.43	0.68	5.99	8.18
5	1996	8	15.55	0.47	6.11	7.13
5	1996	9	13.41	0.45	6.00	9.12
5	1996	10	10.96	0.83	5.15	9.57
5	1996	11		0.63		
5	1996	12	5.57	0.68	4.17	10.34
5	1997	1	7.75	1.66	**4.11**	9.98
5	1997	2	6.15	0.79	4.45	11.43
5	1997	3		0.58		
5	1997	4		0.97		
5	1997	5	13.22	0.50	5.76	9.00
5	1997	6	13.61	0.73	5.07	8.74
5	1997	7	14.85	0.77	5.49	8.25
5	1997	8	15.83	0.24	**6.19**	7.31
5	1997	9	14.56	0.83	5.13	**6.47**
5	1997	10	11.17	0.68	4.82	7.26
5	1997	11	9.00	0.17	5.59	10.64
5	1997	12	7.25	0.84	4.42	10.59
5	1998	1	5.66	1.58	4.45	11.25
5	1998	2	5.69		4.79	8.12
5	1998	3	7.85	0.84	4.59	9.05
5	1998	4		0.53		

5	1998	5	11.77	0.36	5.58	9.97
5	1998	6	13.43	0.67	5.87	8.42
5	1998	7	14.81	0.78	5.26	8.05
5	1998	8	15.10	0.33	5.67	8.46
5	1998	9	13.56	0.25	5.93	7.06
5	1998	10	10.41	0.60	5.58	10.31
5	1998	11	8.66	1.11	4.71	10.07
5	1998	12	6.61	1.65	4.50	10.44
5	1999	1	6.20	0.99	4.95	
Minimum			**5.57**	**0.17**	**4.11**	**6.47**
Maximum			**16.43**	**2.50**	**6.19**	**12.11**

Table 2B. Moclips River Water Quality Data (Continued)

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
6	1994	11	7.73		4.39	**12.51**
6	1994	12	6.99		4.40	11.68
6	1995	1	7.52		4.51	11.34
6	1995	2	7.65		4.28	11.36
6	1995	3	7.22		4.38	11.62
6	1995	4	8.52		4.56	11.19
6	1995	5	11.68		5.19	10.36
6	1995	6	14.76		4.95	9.67
6	1995	7	15.37		5.58	8.67
6	1995	8	13.90		5.17	9.58
6	1995	9	14.08		5.29	9.39
6	1995	10	11.30		4.35	10.47
6	1995	11	8.92	2.20	4.20	10.53
6	1995	12	6.11	1.88	4.32	11.27
6	1996	1	5.93	1.59	4.28	11.67
6	1996	2	4.89	1.75	4.33	11.96
6	1996	3	6.58	1.17	4.66	11.78
6	1996	4	8.45	2.59	4.41	10.85
6	1996	5	10.06	1.74	5.22	10.86
6	1996	6	12.72	1.65	5.66	10.16
6	1996	7	14.85	1.53	6.00	8.72
6	1996	8	14.22	1.10	6.16	8.03
6	1996	9	11.47	0.80	6.06	10.24
6	1996	10	9.14	1.19	4.93	10.40
6	1996	11	6.21	0.96		
6	1996	12	5.62	0.73	4.04	10.56
6	1997	1	7.67	1.38	**3.94**	10.25
6	1997	2	5.90	0.74	4.25	11.74
6	1997	3		7.12		
6	1997	4		0.78		
6	1997	5	13.39	0.58	5.66	9.20

6	1997	6	13.30	0.84	4.89	9.61
6	1997	7	14.40	0.89	5.17	8.99
6	1997	8	16.41	0.69	5.53	6.99
6	1997	9	14.25	0.74	4.77	6.93
6	1997	10	10.62	0.60	4.51	8.04
6	1997	11	8.75	0.37	5.32	10.84
6	1997	12	7.20	0.62	4.39	10.83
6	1998	1	6.10	1.33	6.18	11.31
6	1998	2	5.26		4.56	8.16
6	1998	3	7.41	0.72	4.44	9.12
6	1998	4		0.56		
6	1998	5	13.19	0.55	5.44	10.74
6	1998	6	13.32	0.91	5.57	9.07
6	1998	7	16.16	0.99	4.92	8.69
6	1998	8	14.96	0.70	5.39	9.29
6	1998	9	12.29	0.52	5.49	7.27
6	1998	10	10.31	0.81	5.24	11.45
6	1998	11	8.69	1.28	4.53	10.79
6	1998	12	6.68	0.88	4.46	11.06
6	1999	1	6.19	0.76	4.68	
Minimum			**4.89**	**0.37**	**3.94**	**6.93**
Maximum			**16.41**	**7.12**	**6.18**	**12.51**

Table 3A. Quinault River Water Quality Data

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
8	1995	5	11.96		7.09	11.28
8	1995	6	15.07		7.02	10.37
8	1995	7	17.88		6.92	9.84
8	1995	8	17.08		7.09	9.56
8	1995	9	17.56		7.08	9.44
8	1995	10	14.43		6.78	9.61
8	1995	11	9.08	21.00	6.79	10.03
8	1995	12	7.90	32.25	6.86	10.38
8	1996	1	7.11	14.47	6.93	10.86
8	1996	2	6.51	8.63	6.86	11.21
8	1996	3	7.60	5.76	6.96	11.70
8	1996	4	8.70	2.69	6.93	11.32
8	1996	5	10.62	1.53	7.05	11.33
8	1996	6	13.53	1.15	7.32	10.91
8	1996	7	17.66	0.76	7.20	9.59
8	1996	8	18.48	0.59	7.28	8.99
8	1996	9	17.30	0.55	7.18	9.38
8	1996	10	14.21	1.13	7.27	9.79
8	1996	11		0.57		

8	1996	12	6.66	1.08	6.82	9.10
8	1997	1	6.12	2.31	6.50	10.37
8	1997	2	5.90	4.63	6.63	11.45
8	1997	3		22.50		
8	1997	4		15.80		
8	1997	5	12.16	2.88	7.21	10.01
8	1997	6	12.18	1.57	7.16	9.81
8	1997	7	14.06	1.10	7.36	8.88
8	1997	8	18.50	0.50	7.58	6.60
8	1997	9	15.77	0.56	7.22	6.14
8	1997	10	11.21	4.01	7.04	7.42
8	1997	11	9.62	3.23	7.50	10.03
8	1997	12	6.86	4.59	7.05	9.99
8	1998	1	6.30	2.91	7.03	10.80
8	1998	2	6.25	0.00	7.10	7.86
8	1998	3	6.74	1.67	6.97	9.23
8	1998	4		0.74		
8	1998	5	12.59	0.51	7.35	11.64
8	1998	6	13.03	0.39	7.25	9.33
8	1998	7	17.31	0.23	7.26	9.32
8	1998	8	18.76	0.35	7.28	8.98
8	1998	9	18.90	0.39	7.70	8.66
8	1998	10	14.98	0.45	7.30	11.16
8	1998	11	10.12	4.70	6.91	10.06
8	1998	12	7.00	6.35	6.79	9.52
8	1999	1	5.79	6.05	6.79	
Minimum			**5.79**	**0.00**	**6.50**	**6.14**
Maximum			**18.90**	**32.25**	**7.70**	**11.70**

Table 3B. Quinault River Water Quality Data (Continued)

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
10	1995	1	6.89		6.75	12.14
10	1995	2	6.93		6.58	11.46
10	1995	3	7.80		6.58	11.52
10	1995	4	9.33		6.69	11.38
10	1995	5	12.41		6.92	11.16
10	1995	6	16.98		6.76	9.93
10	1995	7	17.97		6.83	9.17
10	1995	8	16.80		6.94	9.41
10	1995	9	16.71		6.92	9.11
10	1995	10	13.80		6.72	9.91
10	1995	11	8.74	28.00	6.72	10.63
10	1995	12	7.81	37.33	6.90	10.67
10	1996	1	6.88	12.10	6.83	11.24
10	1996	2	6.31	9.99	6.84	11.50

10	1996	3	8.44	4.24	6.98	11.65
10	1996	4	9.33	3.56	6.90	11.11
10	1996	5	11.69	2.40	6.99	10.91
10	1996	6	13.73	2.03	7.10	10.44
10	1996	7	17.47	0.88	6.92	7.78
10	1996	8	17.42	0.59	6.98	8.07
10	1996	9	15.93	0.52	7.11	9.46
10	1996	10	12.89	1.25	6.98	10.24
10	1997	2	6.43	3.54	6.64	11.53
10	1997	3		18.50		
10	1997	4		12.83		
10	1997	5	9.73	4.73	7.06	10.77
10	1997	6	11.61	3.97	7.11	10.23
10	1997	7	14.80	6.30	**7.29**	9.43
10	1997	8	18.26	0.98	7.09	8.33
10	1997	9	15.95	5.13	7.08	**7.11**
10	1997	10	11.30	7.19	6.99	8.30
10	1997	11	9.44	5.62	7.29	10.74
10	1997	12	7.13	5.67	6.95	10.78
10	1998	1	6.36	6.82	**6.50**	11.55
10	1998	2	6.49		6.83	8.08
10	1998	3	7.78	2.43	6.90	10.83
10	1998	4		1.23		
10	1998	5	13.51	1.13	7.13	10.86
10	1998	6	13.64	0.82	6.85	9.02
10	1998	7	17.82	1.21	7.06	8.79
10	1998	8	19.06	0.59	7.18	9.89
10	1998	9	18.27	0.51	7.22	8.78
10	1998	10	13.93	1.37	7.24	11.71
10	1998	11	9.63	5.68	6.81	**12.97**
10	1998	12	6.84	19.87	6.68	10.41
10	1999	1	6.14	8.70	6.80	
Minimum			**6.14**	**0.51**	**6.50**	**7.11**
Maximum			**19.06**	**37.33**	**7.29**	**12.97**

Table 4. Queets River Water Quality Data

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
13	1994	12	7.60		6.92	13.04
13	1995	1	6.74		6.84	12.18
13	1995	2	6.10		6.78	12.04
13	1995	3	6.35		6.80	12.05
13	1995	4	7.88		6.99	11.62
13	1995	5	9.05		7.07	11.45
13	1995	6	11.75		6.95	10.80
13	1995	7	15.64		7.17	10.17

13	1995	8	15.42		7.32	10.30
13	1995	9	15.34		7.24	10.09
13	1995	10	10.20		6.94	11.02
13	1995	11	7.29	90.00	7.04	11.77
13	1995	12	6.57	68.67	7.27	11.86
13	1996	1	6.19	23.40	7.19	11.84
13	1996	2	5.38	27.56	7.06	12.24
13	1996	3	7.63	8.38	7.29	12.10
13	1996	4	8.04	20.75	7.10	11.55
13	1996	5	9.08	8.02	7.31	11.56
13	1996	6	13.00	4.70	7.39	10.79
13	1996	7	16.01	2.77	7.44	9.81
13	1996	8	16.50	1.70	7.51	9.39
13	1996	9	12.74	1.70	7.40	10.40
13	1996	10	10.46	14.45	7.02	10.96
13	1996	11		8.81		
13	1996	12	4.53	6.08	6.81	11.05
13	1997	1	5.89	57.05	**6.67**	11.11
13	1997	2	5.42	13.02	6.99	11.89
13	1997	3		21.10		
13	1997	4		19.02		
13	1997	5	10.39	13.63	7.31	10.81
13	1997	6	9.60	8.28	7.34	10.53
13	1997	7	11.55	8.42	**7.55**	10.62
13	1997	8	14.26	7.26	7.33	8.84
13	1997	9	12.48	20.58	7.25	**7.81**
13	1997	10	9.13	17.28	7.28	8.86
13	1997	11	7.84	7.76	7.54	11.66
13	1997	12	5.24	8.02	7.15	11.28
13	1998	1	5.54	17.95	6.94	11.62
13	1998	2	5.09	14.20	7.05	8.12
13	1998	3	6.98	8.58	7.14	10.56
13	1998	4		5.26		
13	1998	5	10.68	3.39	7.34	11.40
13	1998	6	10.81	3.94	7.42	9.99
13	1998	7	14.97	4.12	7.40	9.33
13	1998	8	15.57	1.17	7.52	10.46
13	1998	9	14.76	0.80	7.51	9.78
13	1998	10	10.43	2.81	7.53	12.84
13	1998	11	8.67	7.87	7.02	**14.13**
13	1998	12	6.02	28.42	6.95	10.92
13	1999	1	5.97	33.83	7.03	
Minimum			**4.53**	**0.80**	**6.67**	**7.81**
Maximum			**16.50**	**90.00**	**7.55**	**14.13**

Table 5A. Raft River Water Quality Data

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
15	1995	1	7.57		5.71	11.69
15	1995	2	7.47		5.58	11.16
15	1995	3	7.57		5.68	11.46
15	1995	4	8.09		5.85	11.22
15	1995	5	10.66		6.45	10.80
15	1995	6	12.71		6.06	10.00
15	1995	7	14.20		6.33	9.24
15	1995	8	13.31		6.15	9.54
15	1995	9	13.06		6.18	9.70
15	1995	10	9.90		5.02	10.21
15	1995	11	6.67	11.00	4.61	10.89
15	1995	12	7.49	4.43	5.36	11.19
15	1996	1	7.10	2.60	5.67	11.24
15	1996	2	6.33	2.57	5.45	11.49
15	1996	3	8.16	1.23	6.11	11.29
15	1996	4	9.01	2.23	5.26	10.97
15	1996	5	9.96	1.10	6.28	10.70
15	1996	6	11.99	0.98	6.46	10.41
15	1996	7	14.70	0.74	6.41	9.20
15	1996	8	14.04	0.58	6.48	8.50
15	1996	9	12.62	0.72	6.45	9.47
15	1996	10	10.32	2.61	5.47	10.87
15	1996	11		1.05		
15	1996	12	4.66	1.06	5.38	10.60
15	1997	1	7.00	2.36	4.82	10.68
15	1997	2	5.93	1.45	5.38	11.59
15	1997	3		1.20		
15	1997	4		1.47		
15	1997	5	11.35	0.87	6.23	9.72
15	1997	6	12.24	0.79	6.09	9.07
15	1997	7	13.54	0.72	6.29	8.00
15	1997	8	14.06	0.95	6.97	8.01
15	1997	9	13.13	1.03	5.73	6.98
15	1997	10	10.26	1.19	5.89	7.87
15	1997	11	8.37	0.78	6.13	10.66
15	1997	12		1.40		
15	1998	1	6.44	1.68	5.94	10.64
15	1998	2	5.58	1.78	5.84	8.16
15	1998	3	7.81	1.29	5.87	8.64
15	1998	4		0.63		
15	1998	5	10.12	0.53	6.37	10.40
15	1998	6	11.78	0.47	6.35	8.79
15	1998	7	13.29	0.71	5.97	8.34
15	1998	8	14.07	0.38	6.22	8.76

15	1998	9	12.38	0.39	6.39	9.53
15	1998	10	9.37	0.81	6.36	11.38
15	1998	11	8.09	5.62	5.12	**12.69**
15	1998	12	6.66	3.35	5.38	10.45
15	1999	1	6.67	8.15	**4.41**	
Minimum			**4.66**	**0.38**	**4.41**	**6.98**
Maximum			**14.70**	**11.00**	**6.97**	**12.69**

Table 5B. Raft River Water Quality Data (Continued)

StationId	Year	Month	Ave Temp	Ave Turbidity	Ave pH	Ave DO
16	1994	12	8.28		6.25	11.27
16	1995	1	7.67		6.48	11.65
16	1995	2	6.84		6.40	11.73
16	1995	3	6.24		6.44	12.03
16	1995	4	6.65		6.55	11.75
16	1995	5	8.47		6.79	11.07
16	1995	6	9.76		6.65	10.82
16	1995	7	12.35		6.74	10.08
16	1995	8	11.57		6.76	10.26
16	1995	9	12.16		6.70	10.03
16	1995	10	9.41		6.59	10.95
16	1995	11	6.71	6.80	**6.20**	11.55
16	1995	12	7.04	2.78	6.64	11.37
16	1996	1	7.34	1.95	6.71	11.64
16	1996	2	6.53	1.83	6.65	11.77
16	1996	3	5.65	1.34	6.67	12.04
16	1996	4	7.49	1.96	6.64	11.59
16	1996	5	7.48	1.30	6.86	11.71
16	1996	6	9.43	1.18	**7.17**	11.29
16	1996	7	11.81	1.22	6.87	10.00
16	1996	8	12.18	0.88	6.92	9.61
16	1996	9	10.20	0.95	6.99	10.35
16	1996	10	9.51	4.20	6.30	10.64
16	1996	11		0.30		
16	1996	12	5.48	0.44	6.36	10.57
16	1997	1	7.45	1.54	6.29	10.60
16	1997	2	6.41	2.90	6.30	11.52
16	1997	3		1.41		
16	1997	4		4.27		
16	1997	5	10.66	1.69	6.92	10.08
16	1997	6	10.33	0.87	6.93	10.40
16	1997	7	11.35	0.77	7.14	9.77
16	1997	8	12.93	0.86	6.48	8.51
16	1997	9	12.03	0.88	6.79	**7.49**

	16	1997	10	9.95	1.00	6.74	8.69
	16	1997	11	8.70	0.52	7.04	12.30
	16	1997	12	6.82	0.83	6.88	10.92
	16	1998	1	6.72	2.02	6.54	11.38
	16	1998	2	5.95	1.31	6.54	8.09
	16	1998	3	8.21	0.85	6.71	9.48
	16	1998	4		0.53		
	16	1998	5	8.73	0.77	6.88	11.38
	16	1998	6	10.29	0.78	6.72	9.35
	16	1998	7	11.97	0.69	6.67	9.39
	16	1998	8	12.65	0.50	6.78	10.79
	16	1998	9	11.59	0.59	6.80	9.79
	16	1998	10	9.38	0.57	6.91	**12.37**
	16	1998	11	8.33	3.65	6.47	9.77
	16	1998	12	7.49	1.92	6.60	10.17
	16	1999	1	6.90	5.61	6.69	
Minimum				**5.48**	**0.30**	**6.20**	**7.49**
Maximum				**12.93**	**6.80**	**7.17**	**12.37**

Acronym List

BIA	Bureau of Indian Affairs
BMPs	Best Management Practices
CMZs	Channel Migration Zones
CWA	Clean Water Act
DO	Dissolved Oxygen
EA	Environmental Assessment
ESA	Endangered Species Act
FLAD	Forest Landscape Analysis and Design
FMP	Forest Management Plan
NRMA	Natural Resources Management Act
GAP	General Assistance Program
LNRC	Land and Natural Resources Committee
NPS	Non-Point Source
NTU	Nephelometric Turbidity Unit
QBC	Quinault Business Committee
QDCD	Quinault Department of Community Development
QFiD	Quinault Fishery Division
QFD	Quinault Forestry Division
QIN	Quinault Indian Nation
QIR	Quinault Indian Reservation
QLTE	Quinault Land and Timber Enterprise
QWSA	Quinault Watershed Analysis
RMZs	Riparian Management Zones
TSS	Total Suspended Solids
U & A	Usual and Accustomed Area
U.S. EPA	United States Environmental Protection Agency
U.S. FS	United States Forest service
U.S. FWS	United States Fish and Wildlife Service
WSDOE	Washington State Department of Ecology

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- Quinault Indian Nation Quality Assurance Project Plan-QAPP (February 2000).
- Quinault Indian Reservation Forest Management Plan-Alternative 5 (February 2000).

Acronym List

BIA	Bureau of Indian Affairs
BMPs	Best Management Practices
CWA	Clean Water Act
EA	Environmental Assessment
EPD	Environmental Protection Division
ESA	Endangered Species Act
FMP	Forest Management Plan
NRMA	Natural Resources Management Act
HUD	Housing and Urban Development
IHS	Indian Health Service
LNRC	Land and Natural Resources Committee
NPS	Non-Point Source
NRCS	Natural Resources Conservation Service
QBC	Quinault Business Committee
QDCD	Quinault Department of Community Development
QFiD	Quinault Fishery Division
QFD	Quinault Forestry Division
QIN	Quinault Indian Nation
QIR	Quinault Indian Reservation
QLTE	Quinault Land and Timber Enterprise
RMZs	Riparian Management Zones
U & A	Usual and Accustomed Area
U.S. EPA	United States Environmental Protection Agency
U.S. FS	United States Forest service
U.S. FWS	United States Fish and Wildlife Service
U.S. NPS	United States Park Service
WSDOE	Washington State Department of Ecology

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The QIN-EPD needs to review all policy, program, and project proposals related to water quality, fish habitat, and watershed conditions developed or permitted by other federal agencies for tribal lands for consistency and to ensure compliance to the tribal NPS program. The following is a list of Federal Agencies expected to conduct activities that would fall under the guidelines of QIN NPS program: Indian Health Service, Bureau of Indian Affairs, and Housing and Urban Development (HUD).

Table 2-9. QIN Failing Septic Tank Systems Management Program Milestones from 2001-2004.

Activity	2001	2002	2003	2004
Planning and designing failing septic tank systems BMPs	X	X		
Implementing BMPs		X	X	X
Administration and enforcement of failing septic tank systems guidelines to protect water quality	X	X	X	X
Public education, information and outreach on failing septic tank systems and water quality	X	X	X	X
Project review of BMPs for water quality improvements		X	X	X

Existing Authorities and Programs

Apart from the QIN NRMA, Title 61, U.S EPA CWA Section 106 (pollution control programs) and Wetlands and Conservation Reserves grants, and voluntary non-point sources pollution abatement during construction activities, the tribe does not have any other laws or programs that address NPS pollution problems on the reservation.

The QIN NRMA establishes the regulations that protect the forest land environment and ensure the enhancement and the productivity of the natural resources, both commercial and environmental.

The U.S. EPA CWA Section 106 (pollution control programs) grant, received this year for the first time, is currently being used for a monitoring program that will eventually lead to setting BMPs guidelines for pollution prevention on the reservation.

The other EPA Wetlands and Conservation Reserves grant, received last fiscal year, has already been used for basic wetland inventory and classification. The information derived from this project would further help in establishing BMPs guidelines for pollution prevention on the reservation.

Voluntary non-point source abatement is encouraged during all construction and logging activities on the reservation. The above entire programs are monitored by the QDNR through the Environmental Protection Division (EPD).

NPS), private landowners, QDCD, and other pertinent agencies to develop appropriate long-term NPS pollution guidelines for all failing septic tank systems surrounding Lake Quinault. The short-term goal is to accurately survey all the failing septic systems on the South shore Road and all the other residences surrounding the lake.

Currently, there is no established program yet to deal with this problem, but there is a need for one that would emphasize the following:

- Preliminary investigation of potential coliform contamination around Lake Quinault, e.g., water sample collection, laboratory analysis for coliform and survey of all the points of coliform introduction to the lake.
- Set up a Growth Management Committee to evaluate the impacts of future growth around the lake.
- Form a Lake Quinault Basin Management Team comprised of QIN, U.S. FS, U.S. NPS, the County and a representative(s) from private landowners. This team will be responsible for, but not limited to, the duties listed below:
    - ♦ Initiation of septic surveys for Lake Quinault residents.
    - ♦ Establishing criteria for installation of new septic tank systems.
    - ♦ Recommendations on retrofitting old septic systems.
    - ♦ Initiation of preventative programs for water pollution.
    - ♦ Evaluation of non-compliance and enforcement procedures.
    - ♦ Setting up programs to protect the lake.
- Perform water budgeting and establish trophic status of the lake for future management.

This management program hopes to accomplish the milestones listed on Table 2-9.

Table 2-8. Failing Septic Tank Systems Implementation Schedule for the QIN Management Program from 2001-2004.

Activity	2001	2002	2003	2004
Accurate survey of all the failing septic systems surrounding the lake	80,000	80,000	N/A	N/A
Public education, information and outreach on failing septic tank systems and water quality	10,000	10,000	5,000	5,000
Preliminary water quality investigation of potential coliform contamination around Lake Quinault	60,000	60,000	60,000	60,000
Review of BMPS for water quality improvements	5,000	5,000	5,000	5,000
Total Funding Need	**155,000**	**155,000**	**70,000**	**70,000**

The short-term goal for the road construction management program is to minimize sediment transportation to nearby streams, whereas the long-term goal is to educate and encourage the use of NPS practical measures to prevent pollution. The new road constructions should follow the guidelines in the QIN-NRMA, the on-going FMP, affordable BMPs, and any modification(s) authorized by the ID Team members. Some of the program guidelines include, but are not limited to:

- Better road construction and reconstruction.
- Seasonal pre-roading to minimize road construction during wet months.
- Channelling stormwater runoff away from streams to forestlands.
- Use of structural BMPs such as detention or settling ponds near sensitive streams, when deemed necessary.
- Non-structural BMPs such as swales and vegetative covers, when deemed necessary.
- Reducing the amount and usage of gravel at wet sites.
- Use of alternate road surfacing, e.g. wood chips pavement.
- Better culvert sizing to accommodate extreme rainfall events.

Failing Septic Tank Systems

The U.S. FS, after the survey of the failing septic tank systems on the South shore Road of Lake Quinault in 1995, set up a committee to evaluate the issues and concerns of potential coliform contamination. Of the 68 septic tank systems surveyed in 1995, 65% of the systems had medium to high potential of fecal coliform contamination. Most of these homes with high contamination potential were lakefront properties (approximately 91%). Also, of all the systems inspected, 51% were cesspools/corroded steel tanks with medium to high contamination potential. Only 35% of all the systems surveyed were classified as very low to low contamination potential (Berglund et al., 1995). Similarly, other possible contamination sources exist with the rest of residents surrounding the lake.

The primary pollutant is fecal coliform from failing septic tank systems. Failing septic tank systems contain hazardous household substances, bacteria, viruses and other microorganisms that can be harmful to humans. These contaminants can affect the public water supply as well as recreational and aesthetic uses of water. Similarly, bacterial contamination has resulted in the closure of commercial and recreational shellfish beds and can affect the harvesting of other fish. The QIN has a hatchery operation on Lake Quinault, hence the reason for concern for any potential water pollution. Similarly, there is a potential for groundwater contamination from all these failing septic tank systems.

Currently, the QIN does not receive any funding for implementation of any proposed failing septic tank Management Program from U.S. EPA or any other agency. However, the tribe proposes to spend money following the schedule outlined below in Table 2-8, if funded in the future.

The designated NPS management agency for the QIR will be the Water Quality Program. The Water Quality Program staff will work with the U.S. FS, U.S. National Park Service (U.S.

Table 2-6. Road Constructions Implementation Schedule for the QIN Management Program from 2001-2004.

Activity	2001	2002	2003	2004
Administration, enforcement, and revision of existing QIN, BIA, and QLTE road guidelines	10,000	10,000	10,000	10,000
Public education, information and outreach on land use and water quality	5,000	5,000	5,000	5,000
Complete inventory of all the roads and comprehensive water quality monitoring	90,000	90,000	40,000	40,000
Review of BMPS for water quality improvements	10,000	10,000	10,000	10,00
Total Funding Need	**115,000**	**115,000**	**115,000**	**115,000**

The designated NPS management agency for the QIR will be the Water Quality Program. The Water Quality Program staff will work with the QFD, QLTE, BIAFD, QDCD, and other pertinent agencies to develop appropriate NPS pollution guidelines for all logging activities on the reservation. This will involve using the soil erosion prevention practices and guidelines from the NRCS to evaluate all road constructions on the reservation. New BMPs addressing slope stability and stream bank stabilization will be added as they are developed by the program or through the scoping process. Appropriate BMPs will be selected on a site-specific basis for each road construction that produces NPS pollution. This management program hopes to accomplish the milestones listed on Table 2-7.

Table 2-7. QIN Road Constructions Management Program Milestones from 2001-2004.

Activity	2001	2002	2003	2004
Planning and designing road construction BMPs	X	X	X	X
Implementing BMPs		X	X	X
Administration and enforcement of existing QIN road construction guidelines to protect water quality	X	X	X	X
Public education, information and outreach on land use and water quality	X	X	X	X
Project review of BMPs for water quality improvements		X	X	X

Like New Developments, the short-term goals for the logging management program are to minimize sediment transportation to nearby streams and restore adequate riparian buffers, whereas the long-term goal is to educate and encourage the use of NPS practical measures to prevent pollution. The measures should include, but are not limited to:

- Use of motorized carriage for reduced soil disturbance.
- Use of mechanical harvesters/processors to minimize compaction and channelization.
- Seasonal restrictions on wet site.
- No timber hauling during major rainstorm events.
- Application of surface mulch to reduce and minimize soil erosion and compaction.
- Removal of culverts/structures to return landscape to pre-logging condition.
- Limitation on the size of the clear-cut, where appropriate.
- Encourages and enforces minimum RMZ buffer width on streams.
- Enforces reasonable rotation age depending on the species.
- Will promote reasonable wildlife green-up and wildlife reserve trees.
- Promotes adequate large woody debris recruitment RMZs.
- Reinforces stream bank stabilization.
- Reduces or prevents any logging activity within the channel migration zones (CMZ) or unstable slopes.
- Reforest within a time limit.

Road Constructions

Table 1-5 shows the density of roads and total road drainage areas by watershed on the QIR. The percentage of watershed allocated to roads ranges from 0.93% for Moclips River Watershed to 1.39% for Queets River Watershed, as indicated in Table 1-5. In total, approximately 1.15% of the reservation land is occupied by either paved or gravel-surfaced road. The gravel-surfaced roads are dominant in all the watersheds, hence increasing the potential for NPS pollution. The current QIN-NRMA's road construction and maintenance guidelines may or may not be adequate in protecting water quality and reducing NPS pollution. Therefore, it is proposed that a complete analysis of all roads on the reservation be performed. The road constructions are on both tribal and non-tribal lands, and their primary pollutants and the impacts they have on water quality are the same as seen with new developments and logging activities.

The potential impacts of road construction on groundwater supplies are not known, however provisions will be made to evaluate future projects and their potential impacts on a site-specific basis. With regard to surface water quality, all the rivers on the QIR would benefit from implementing NPS pollution BMPs guidelines for all road constructions on the reservation.

Currently, the QIN does not receive any funding for implementation of any proposed road Management Program from U.S. EPA or any other agency. However, the tribe proposes to spend money following the schedule outlined below in Table 2-6, if funded in the future.

Table 2-4. Logging Implementation Schedule for the QIN Management Program from 2001-2004.

Activity	2001	2002	2003	2004
Planning, designing, and implementation of BMPs to protect water quality	100,000	100,000	100,000	100,000
Public education, information and outreach on land use and water quality	10,000	10,000	10,000	10,000
Administration and enforcement of existing QIN Natural Resources Management Act, Title 61 to protect water quality	20,000	20,000	20,000	20,000
Monitoring and evaluation of BMPs for effectiveness in protecting water quality	35,000	35,000	35,000	35,000
Total Funding Need	**165,000**	**165,000**	**165,000**	**165,000**

Table 2-5. QIN Logging Management Program Milestones from 2001-2004.

Activity	2001	2002	2003	2004
Planning and designing logging BMPs	X	X	X	X
Implementing BMPs		X	X	X
Administration and enforcement of existing QIN Natural Resources Management Act, Title 61 to protect water quality	X	X	X	X
Public education, information and outreach on land use and water quality	X	X	X	X
Project review of BMPs for water quality improvements			X	X

reported an increased metal toxicity to daphnia with a decrease in pH from 8 to 5. Similarly, a decrease in pH tends to increase the solubility (or bioavailability) of toxic metals. For example, as pH rises, the toxicity of dissolved zinc to fish increases. But at a pH of 8.5 or greater, the dissolved zinc is replaced by zinc precipitate, which has low toxicity to fish (Bradley and Sprague, 1985). pH alteration can be caused by logging and associated soil erosion.

The primary causes of high-stream temperatures are removal of riparian vegetation (habitat alteration) from logging operations, surface heating of exposed large clear-cut plots of land near streams, and losing-stream water withdrawal (flow alteration). The direct effects of high stream temperature on the aquatic environment are low dissolved oxygen, stress, and death to the organism in extreme cases. For example, Macdonald et al. (1991) reported the optimum and lethal temperatures for salmonid fish in the range from 12 to 14 ^{o}C and 20 to 25 ^{o}C respectively, and a lethal temperature range of 23 to 29 ^{o}C according to Rashin et al. (1993).

Potential impacts of logging are more noticeable on surface waters than groundwater. However, forest clearing, from clear-cutting, has been presumed to have a whole range of effects on the environment which range from increased surface runoff, reduced or increased groundwater recharge, decreased soil hydraulic conductivity and porosity to increased downstream sedimentation problems and potential downstream flooding. But these impacts vary from site to site and depend on the landscape topography, soil type/conditions, method of logging used, post logging land use activity and climatic conditions of the area. According to current understanding, past literature (Harris, 1977; Harr et al., 1982; Sharma et al., 1982; Harr, 1983), and depending on site location, forest clearing when properly done could increase groundwater yield. The theory behind this is that tree removal reduces the amount of water lost through evapotranspiration (a major source of water loss) and increases groundwater infiltration capacities. Both soil type and landscape conditions have to be right for this to occur. Since the QIN has not done any groundwater inventory on the reservation, part of the long-term plan for this NPS management plan is to study the impacts of logging on groundwater quantity and quality.

Currently, the QIN does not receive any funding for implementation of any of the proposed Management Program from U.S. EPA or any other agency. However, the tribe proposes to spend money following the schedule outlined below in Table 2-4, if funded in the future.

The designated NPS management agency for the QIR will be the Water Quality Program. The Water Quality Program staff will work with the Quinault Forestry Division (QFD), QLTE, BIA Forestry Division (BIAFD), and other pertinent agencies to develop appropriate NPS pollution guidelines for all logging activities on the reservation. This will involve using the soil erosion prevention practices and guidelines from the Natural Resources Conservation Service (NRCS) to evaluate all logging operations on the reservation. New BMPs addressing slope stability and stream bank stabilization will be added as they are developed by the program or through the scoping process. Appropriate BMPs will be selected on a site-specific basis for each logging site that produces NPS pollution. This management program hopes to accomplish the milestones listed on Table 2-5.

Table 2-3. QIN New Developments Management Program Milestones from 2001-2004.

Activity	2001	2002	2003	2004
Planning and designing BMPs	X	X		
Implementing BMPs		X	X	X
Administration and enforcement of existing QIN Land Use Act to protect water quality	X	X	X	X
Public education, information and outreach on land use and water quality	X	X	X	X
Project review of BMPs for water quality improvements			X	X

Logging

Of the 207,000 acres of reservation land, approximately 120,000 acres are owned in 40- and 80-acre parcels, held in trust by the federal government, for individual Indian landowners. The QIN owns 62,000 acres in either fee or trust status and 25,000 acres are owned by private individuals and are in fee status. According to the current QDNR/BIA schedule and on-going QIN FMP, about 11% and 19% of QIN and BIA lands have slated for logging within the next 10 years. These numbers are the best estimate based on the current market conditions and are likely to change. As the QIN purchases more lands and individual landowners request more land revenue allocation from BIA, more lands may be scheduled for logging within the next 10 years.

The primary pollutants associated with logging activities are sediment, pH, and temperature. The rivers that could potentially be affected are the Queets, Salmon, Raft, Quinault, and Moclips Rivers. The sediment problems range from objectionable appearances and increased turbidity, which can in turn, lower dissolved oxygen concentration to reduce prey capture for predatory sight feeders. Other effects can include the clogging of fish gills and invertebrate filters, reducing spawning and juvenile fish survival, smothering of bottom dwelling aquatic organisms such as benthal organisms and, above all, introducing solid-laden pollutants into the water column (Asplund et al., 1982; B.C. Research Corporation, 1991).

As mentioned earlier, the Raft, Salmon, and Moclips Rivers have a high number of days when the pH was outside the range of 6.5 to 8.5 deemed suitable for freshwater aquatic life. However, the low pH on Moclips River may not be due to human influence. According to genetic coho data, Moclips River has a distinct coho population that is different from other coho stocks on nearby rivers. This probably means that coho have practically adapted to that pH for a very long time, probably going back to pre-European settlement. Hence, there may not be any management program to elevate the stream pH of the Moclips River. Nevertheless, changes in the pH of the water can affect aquatic biota. The microbial organisms, in an effort to maintain a near neutral internal pH when surrounded by extremely low pH values, are exposed to stressful conditions, which might affect their reaction to toxins. For example, Hall and Anderson (1988)

specific basis. With regard to surface water quality, the Queets, Quinault, and Moclips Rivers would benefit the most from implementing NPS pollution BMPs guidelines for all new developments on the reservation.

Currently, the QIN does not receive any funding for implementation of the proposed Management Program from U.S. EPA or any other agency. However, the tribe proposes to spend money following the schedule outlined below in Table 2-2, if funded in the future.

Table 2-2. New Developments Implementation Schedule for the QIN Management Program from 2001-2004.

Activity	2001	2002	2003	2004
Planning, designing, and administration of BMPs to protect water quality	50,000	50,000	50,000	50,000
Public education, information and outreach on land use and water quality	10,000	10,000	10,000	10,000
Evaluation of new developments for compliance	5,000	5,000	5,000	5,000
Review of off-reservation BMPS for water quality improvements	10,000	10,000	N/A	N/A
Total Funding Need	**75,000**	**75,000**	**65,000**	**65,000**

The designated NPS management agency for the QIR will be the Water Quality Program. The Water Quality Program staff will work with the QDCD and Quinault Housing Authority (QHA) to develop appropriate NPS pollution guidelines for each project. This will involve using the soil erosion prevention practices and guidelines from the Natural Resources Conservation Service (NRCS) to evaluate all new projects on the reservation. New BMPs addressing slope stability and stream bank stabilization will be added as they are developed by the program or through the scoping process. Appropriate BMPs will be selected on a site-specific basis for each new development that produces NPS pollution. The management program hopes to accomplish the milestones listed on Table 2-3.

The short-term goal is to minimize sediment transportation to nearby streams from new developments, whereas the long-term goal is to educate and encourage the use of NPS practical measures to prevent pollution. The measures should include, but are not limited to:

- Structural BMPs such as detention or settling ponds.
- Non-structural BMPs such as swales and vegetative covers.
- Silt fences to prevent sediment transport.
- Encourage practices that result in flow attenuation.
- Minimize flow channelization.
- Minimize soil compaction and enhance infiltration capacity.

Collaboration between QIN and other agencies

Due to lack of cooperation and communication, sometimes there is duplication in an effort to solve the same problem. Therefore, it is proposed that the QIN provide the coordination for the NPS Assessment and Management Plan for the reservation. The QIN staff has good relationships with almost all land and resource management agencies on the reservation and U & A areas. This relationship and experience would help in providing administrative, voluntary, and regulatory mechanisms for NPS guidelines, and eventually lead to protecting and preserving water quality on the QIR.

Management Program

There are four major potential sources of non-point pollution, under consideration, resulting from human activities on the reservation namely new developments (runoff from construction operations), runoff from logging and related activities, road construction runoff, and failing septic tank systems.

New Developments

According to Quinault Department of Community Development (QDCD), approximately 2.8% of the reservation land has been slated for new developments over the next 20 years. Table 2-1 shows the acreage breakdown of the new developments in growth management areas.

Table 2-1. Projected New Developments on the QIR Over the Next 20 Years.

New Developments	Total Acreage (Acres)
Queets Growth Area	282
Taholah Growth Area	1,491
Santiago Growth Area	248
Moclips River Growth Area	1,299
Crane Creek Growth Area	800
Amanda Park Growth Area	1,623

All the above new developments are on tribal lands. The primary pollutant associated with these new development activities is sediment. The rivers that could be potentially affected are the Queets, Quinault, and Moclips Rivers. The potential sediment problems associated with these new developments can contribute to a variety of problems. The problems range from objectionable appearances and increased turbidity, which can in turn, lower dissolved oxygen concentration to reduce prey capture for predatory sight feeders. Other effects can include the clogging of fish gills and invertebrate filters, reducing spawning and juvenile fish survival, smothering of bottom dwelling aquatic organisms such as benthal organisms and, above all, introducing solid-laden pollutants into the water column (Asplund et al., 1982; B.C. Research Corporation, 1991).

Potential impacts of these new developments on groundwater supplies are not known, however provisions will be made to evaluate each project and its potential impacts on a site-

- Any downed wood that has fallen on and is blocking vehicle passage on stream-adjacent parallel roads would be removed and placed on the side of the road closest to the adjacent water.
- To the extent practical and in connection with maintenance activities, wood removed from the upstream end of culverts and bridges will be placed at the downstream end of such culverts and bridges in such a way as to minimize obstruction of fish passage, while avoiding significant disturbance of sediment.
- Roads will not be constructed in bogs, unless the alternative is more environmentally damaging (as determined by the ID Team).
- All efforts would be made to refrain from construction of roads parallel to Type D or H perennial stream courses for a distance of one site potential tree height.
- All efforts would be made to refrain from construction of mid-slope roads on unstable soils unless the alternative is more environmentally damaging (as determined by the ID Team).
- Spur roads may be closed when the stand reaches free-to-grow status (as defined in QIN Forest Practices Regulations).
- When a road is closed the drainage structures may be removed and the road surface stabilized to prevent future erosion.

Effectiveness of these measures in reducing NPS pollution would be evaluated by monitoring water quality on the QIR. As mentioned earlier, the objective of the Water Quality Program is to collect baseline water quality data such as temperature, turbidity, conductivity and pH, which will be used to determine if there are any adverse effects on water quality, caused by current and possible future timber harvesting. Another long-term objective is to recommend and adopt BMPs that will reduce or prevent adverse impacts on the water quality from any timber harvesting activities. Therefore, it is proposed that comprehensive water quality monitoring be performed on the reservation. This monitoring activity would include baseline, project, and site-specific monitoring, if necessary. The baseline monitoring would provide water quality information on a wider geographic area. The project monitoring would provide site-specific water quality information on a short basis (5-10 years) to measure changes which might occur due to a particular project. Whereas the site-specific monitoring would be supplementary to the other two and provide water quality information on specific geographic areas where data is limited or unavailable to substantiate changes in land management practices or on-the-ground projects. The data collected would be used in reviewing road construction and maintenance guidelines, and land use management under the current Natural Resources Management Act, Title 61 and other environmental regulations, and making specific recommendations for changes if necessary. These changes would be with regard to policies, ordinances, road management codes and regulations that would help to reduce NPS pollution and ensure a consistent administrative and regulatory approach toward protecting and preserving water quality on the QIR.

1. Basins containing, or road systems potentially affecting, waters which contain a fish species that is listed as either threatened or endangered under federal law.
2. Basins containing, or road systems potentially affecting, sensitive geology/soils and/or areas with a history of slope failures.
3. Road systems or basins where other restoration projects are in progress or may be planned coincident with the implementation of the proposed Road Management Plan.
4. Road systems or basins likely to have the highest use in connection with future forest practices.

- Within any selected basin or road system, the following priorities would be used for determining which road repair and maintenance activities would be implemented first:
  1. Repair or maintenance work to improve fish passage (beginning on roads affecting the most habitats first, generally starting at the bottom of the basin and working upstream).
  2. Repair or maintenance work to limit sediment delivery/mass wasting in identified areas. Guidance developed through experience obtained from previous application of the watershed analysis surface erosion module, or other applicable method, for roads should be considered. (Areas where sediment delivery or mass wasting will most likely affect water quality, salmon habitat or bull trout habitat overlay would be given highest priority.)
  3. Repair or maintenance work to disconnect road drainage from streams.
  4. Repair or maintenance work on stream-adjacent parallel roads with a particular emphasis on eliminating water and sediment delivery from the road to the stream.
  5. Repair or maintenance work to improve hydrologic connectivity (i.e. to minimize interruption of surface water drainage, the interception of subsurface water, and the pirating of water from one basin to another).
  6. Repair or maintenance work which can be undertaken with the maximum operational efficiency.
- New culvert installation/replacement would be required to meet the 100-year flood standards, except in cases where the 100-year sized culvert extends above the existing road prism.
- Road plans need not provide for the replacement of culverts functioning with little risk to public resources even if such culverts are not consistent with the requirements for the installation of new culverts (i.e. the requirement for a 100-year flood standard). Culverts which were legally installed, properly maintained, and which are capable of passing fish would not be required to be replaced and brought up to new standards until the end of such culvert's functional life unless otherwise recommended by the ID Team.
- RMP would address sediment delivery from roads and stream bank stability in connection with stream-adjacent parallel roads. Stream-adjacent parallel roads are among the highest priorities to be addressed in the RMP, particularly in connection with the elimination of water and sediment delivery from the road to the stream.

Complete inventory of all the roads and comprehensive water quality monitoring

Another critical component of the efforts to control and improve non-point sources of water pollution involves complete inventory of all the roads and comprehensive water quality monitoring of the water quality parameters. Roadway stormwater runoff contributes to a variety of problems, which range from direct pollution of receiving waters and overloading of treatment facilities to the incorporation of pollutants into sediments and their eventual travel up the food chain. In the past, roadway drainage systems were designed for speedy transport of runoff water off the roadway surfaces and their surrounding areas. In recent years, this traditional method of dealing with roadway stormwater runoff has changed due to water quality concerns. According to Kobriger and Geinepolos (1984), stormwater runoff from roadways is usually more polluting than general urban stormwater runoff.

Table 1-5 shows the density of roads and total road drainage areas by watershed on the QIR. The current QIN-NRMA's road construction and maintenance guidelines may or may not be adequate in protecting water quality and reducing NPS pollution. Therefore, it is proposed that a complete analysis of all roads on the reservation be performed. This analysis would involve reviewing road construction and maintenance guidelines on the current Natural Resources Management Act, Title 61 and other environmental regulations, and making specific recommendations for changes if necessary. These changes would be with regard to policies, ordinances, road management codes and regulations that would help to ensure consistent administrative and regulatory approach toward protecting and preserving water quality on the QIR.

The current QIN-FMP has outlined road management objectives and implementation guidelines that are summarized below. These objectives and guidelines would be reviewed in depth to evaluate their effectiveness with regard to protecting and preserving water quality.

- Road management policy objectives would be to maintain or provide passage for fish in all life stages, to provide for the passage of some woody debris, to meet water quality standards, to control sediment delivery, to protect stream bank stability, and to divert most road run-off to the forest floor.
- A QIR Road Management Plan (RMP) would be prepared for all roads on the Reservation within five years (20% per year) after the adoption of the QIR FMP. The maintenance and abandonment plan would inventory and assess the condition of all roads and provide for:
  1. the planning and complete implementation of proper maintenance or abandonment of existing roads within 20 years of the adoption of the FMP;
  2. road repair;
  3. minimizing construction of new roads;
  4. building drainage structures in new roads to higher standards; and
  5. removing artificial barriers to passage of fish at all life stages.
- The RMP would generally be developed for an entire road system or basin. The following priorities would be followed for determining which road systems or basins to implement first:

Similarly, part of the analysis would involve an evaluation of the current BIA administration of land for trust and tribal member allotments for consistency in meeting the Tribal Water Quality Program and Non-Point Source Management Program goals and objectives. The adoption of the on-going QIN-FMP by all land managers on the QIR would help make this task easier and ensure the application of BMPs for the protection and restoration water quality. Also this would help to advise the tribal government and tribal members on the potential impacts to water quality and other resources that might result from the current BIA land management. It is further important to recommend changes in policies and rules, technical assistance and cooperation, if necessary, in order to improve water quality management, and to provide protection and restoration of aquatic and riparian habitats. Finally, it is proposed that all the land managers on the QIR be educated to facilitate their understanding of the NPS issues and tribal water quality goals and objectives, as well as monitoring of the BMPs' effectiveness to ensure that the desired results are achieved.

Public education, information and outreach on land use and water quality

Understanding of the NPS issues, water quality and watershed conditions by the public and other land managers would require a comprehensive education of the issues. Achieving the goals of preventing and reducing NPS pollution will require informing the public of the nature of the water quality problems and encouraging land and water users to alter practices that degrade water quality. The more people that understand the issues, the more they are willing to cooperate. The focus would be on directly educating the land managers about NPS pollution issues and collaborating with them in designing and implementing management plans in order to achieve the desired goals and objectives.

For example, the current ID Team process involves QIN and BIA staff, which is composed of specialists from Wildlife Biology, Cultural Resources, Silviculture, Forestry, Soils Science, Water Quality, and Fish Biology. These professionals are tasked to use several approaches to scope issues and concerns relating to sustainable land management on the QIR. The ultimate goal is to design practical guidelines that provide protection against impacts of logging, road constructions, soil erosion, fertilizer and pesticide applications. The future proposal is to use consistent BMPs in designing and implementing on-the-ground projects that would help to attain better water quality and watershed conditions, meet criteria, and achieve NPS management goals and objectives.

Other target groups on the QIR for NPS pollution education would be tribal youth groups, tribal government officials, ID Team members, high school students and tribal landowners. To promote participation in the education program, a wide array of educational and public information experiences are proposed. The spotlight will be on outdoor, hands-on, try-it-at-home experiences that may include hiking, adopt a stream, riparian improvement projects, water quality monitoring, stream clean up programs, fish habitat restoration, stream enhancement, and physical surveys. The public would be kept informed with the progress or lack of it with this NPS management program.

BMPs and NPS control projects would involve planning and designing, implementation, monitoring and information coordination, public education, project evaluation and cooperation between land management agencies to ensure a watershed wholistic approach to resource management on the Quinault Indian Reservation. The end result is to contribute to watershed-wide efforts to improve water quality, aquatic and riparian habitat as well as general watershed conditions. The management plans to accomplish these tasks can only be achieved through co-operative efforts of landowners and the general public, and have been divided into several parts according to program objectives.

- ❖ Administration, enforcement, and revision of existing QIN NRMA, Title 61 to protect water quality.
- ❖ Public education, information and outreach on land use and water quality.
- ❖ Complete inventory of all the roads and comprehensive water quality monitoring.
- ❖ Collaboration between QIN and other agencies.

Administration, enforcement, and revision of existing QIN Natural Resources Management Act, Title 61 to protect water quality

A critical component of efforts to control and improve non-point sources of water pollution is the administration and enforcement of land and water use codes, regulations and laws. The QIR has a land base of approximately 207,000 acres and the current staffing level is inadequate to sufficiently administer and enforce all the existing rules and regulations governing forest practices and land use activities on the reservation. Similarly, the current NRMA probably needs revision to capture the recent modifications to the CWA and ESA as well as the recent QIN FMP standards.

Water quality standards and criteria are important components of the CWA used to ensure compliance and are vital for quantitative measurement of desirable conditions. These standards are designed to establish the uses for which the surface waters of the country shall be protected, to prescribe water quality standards to sustain the designated uses, and to protect existing water quality. The tribe is actively developing water quality standards, at this point, to protect and restore water quality to support beneficial uses on the QIR as well as support the exercise of treaty rights.

Current guidelines to establish BMPs may not be enough to protect the Nation's water quality from deterioration by NPS. Similarly, the current administration and enforcement of the QIN-NRMA may be insufficient and inconsistent to deal with recent changes to the CWA and ESA. Therefore, there is a need for improvement in administration, enforcement, and revision of existing QIN NRMA, Title 61 to protect water quality.

In order to ensure consistency and adequate protection for the QIN water quality conditions, it is proposed that a complete analysis of tribal policies, rules and regulations be performed. This analysis would involve reviewing the current Natural Resources Management Act, Title 61 and other environmental regulations, and making specific recommendations for changes if necessary. These changes would be with regard to policies, ordinances, land management codes and regulations that would help to ensure a consistent administrative and regulatory approach toward protecting and preserving water quality on the QIR.

water bodies. A comparative evaluation was used to assess the severity of impairment to each water body. Table 1-2 shows the water bodies and their associated pollutants. Other water bodies were identified through the two watershed analyses completed by the tribe. Similarly, there are a number of streams that are being considered by the tribal professional and technical staff for listing on the tribal Section 303(d) list of impaired and threatened waters. It is part of the duties of the professional and technical staff to recommend these waters to the managers and tribal council for their approval before the actual listing occurs. The Quinault Business Committee (QBC) would review and approve these listed waters for total maximum daily load (TMDL) development by the technical staff.

The water bodies not recommend for the state's listing under the CWA Section 303(d) list are subjected to BMPs program development. As mentioned earlier, the management programs could be regulatory or voluntary. Below are three types of management practices commonly used to reduce stormwater runoff pollution:

1. Source Management Measures
   - Planning measures
   - Design and operations
   - Regulations
2. Post-Deposition Measures Applied Prior to Runoff
   - Culvert blockage removal
   - Debris removal and spill clean up
   - Ditch maintenance
3. Post-Runoff Measures
   - Infiltration system
   - Vegetative controls
     a. Grassed channel
     b. Filter strips
     c. Overland flow
   - Wetland
   - Detention ponds
   - Filtration systems
   - Flow attenuation/alteration
   - Catch basins

Management Program Summary

The Quinault Indian Nation has direct regulatory authority over all the management of natural resources on the reservation. The land and water resources management has been specifically delegated to the authority of the LNRC, QDNR (Environmental Protection Division), and the Resource Enforcement Officers. Since 12% of the land is private fee, 30% is QIN, and 58% of the land is held in trust by the federal government, for individual Indian landowners, a coordinated effort is required to administer a BMPs program. The trust lands are managed by the BIA, and the tribe hopes to establish uniform management guidelines for all lands through the implementation of the forest management plan. As a result, the QIN proposes BMPs tasks to be accomplished through cooperation between QIN and other agencies tasked with land management near or on the reservation.

- Restoration of degraded habitats identified from the two watershed analyses.
- Public information and education to increase ecosystem awareness and knowledge.

Introduction

The goal of the NPS Water Pollution Management Program is to protect, preserve, and restore water quality, watershed conditions, wetlands, and riparian and aquatic habitat on the QIR. Traditionally, most of the watershed supports heavy fishing, hunting, broodstock collection, cultural uses, and many recreational activities. In addition, apart from providing a suitable habitat for fish and other aquatic organisms, these watersheds provide scenic views for hikers and other tourists. Due to these beneficial uses, the tribal goal places much more emphasis on pollution prevention.

The tribe is trying to be proactive in addressing NPS pollution, hence is looking for tools to achieve cleaner water through non-point source management. Some of the tools are regulatory while the majority are through voluntary programs. For example, under regulation, the tribe is considering implementing guidelines to better protect fish-bearing streams under the RMZ subsection of the FMP. Under voluntary programs, the QIN has conducted two watershed analyses with major efforts to address water quality and other environmental problems in these watersheds. As a result, both tools, regulatory and voluntary, would be used in pollution prevention on the QIR.

The primary objective of the Management Program is to protect high quality waters and provide improvement to degraded waters within the QIR using regulatory and voluntary options. The tribe will use the methods outlined below to achieve the said objective:

- Administration, improvement, and enforcement of tribal laws, codes, and regulations pertaining to Land use and water quality.
- Massive public education and involvement on NPS pollution issues.
- Use of structural and non-structural BMPs on projects to protect and restore nearby water bodies.
- Use co-ordinated efforts from different agencies and divisions to plan and implement BMPs at a local or a watershed level.
- Monitoring of the effectiveness of BMPs and compliance to the program.

There are five potential sources of non-point pollution resulting from human activities on the reservation, namely:

- Residential runoff.
- Runoff from logging and related activities.
- Roadway runoff.
- Failing septic tank systems.
- Runoff from construction operations.

The tribal Water Quality Program has been collecting and sampling water quality parameters for six years and the data collected were used to identify some of the NPS pollution

Non-Point Source Management Program
Overview

Non-point source control programs and how they translate into improvements in water quality are difficult to assess. This is a result of the dispersed and variable nature of non-point source pollution. Even though considerable research has been done in this field, a consistent standard information base describing the extent of non-point source pollution and the effects of existing control programs on water quality management has not been fully developed. Additional problems result from the large number and variety of agencies, organization, groups, and individuals tasked with managing land and protecting the natural resources. On the Quinault Indian Reservation (QIR), most non-point pollution is caused by residential runoff, runoff from logging and related activities, roadway runoff, failing septic tank systems, and runoff from construction operations. All these activities have different impacts on water quality. Runoff from logging and related activities and roadway runoff are major components of the total non-point source pollution on the reservation.

The Quinault Indian Nation's NPS Pollution Management Program will emphasize pollution prevention, since the economy of the tribe has been largely resource-based, primarily on fishing and timber. The prevention portion of the program will rely greatly upon public education and source control. Similarly, the management plan will highlight the importance of adequate technical assistance and use financial incentives to encourage landowners to voluntarily implement BMPs. For example, increasing the rotation age of most trees would probably provide better economic return to the landowner in the future. Likewise, increasing the riparian management zones around streams would provide better fish habitat and enhance future fishery resources.

The purpose of this NPS Management Program is to contribute toward the ability of the Quinault People to effectively and efficiently manage environmental variables that degrade water quality within the QIR. The tribe as co-managers of the fishery resources within the Usual and Accustomed (U & A) Area, with the state of Washington, is expected to cooperate and perform the necessary tasks, usually water quality related, associated with fishery management. Finally, this NPS Management Plan report is prepared to guide the Tribal Water Quality Program in outlining and implementing future goals and objectives for water quantity and quality within the QIR.

The need for this NPS Management Plan was due to past experiences of the Quinault People with water, land use, and fisheries management within the reservation. The degradation in fish habitat, water quality and watershed conditions caused by land use practices within the reservation was documented in two watershed analyses and FMP development. With non-point source pollution being the primary cause of water contamination to reservation waters, the QIN proposes to undertake a comprehensive, integrated approach to address water quality concerns. The approach includes, but is not limited to:

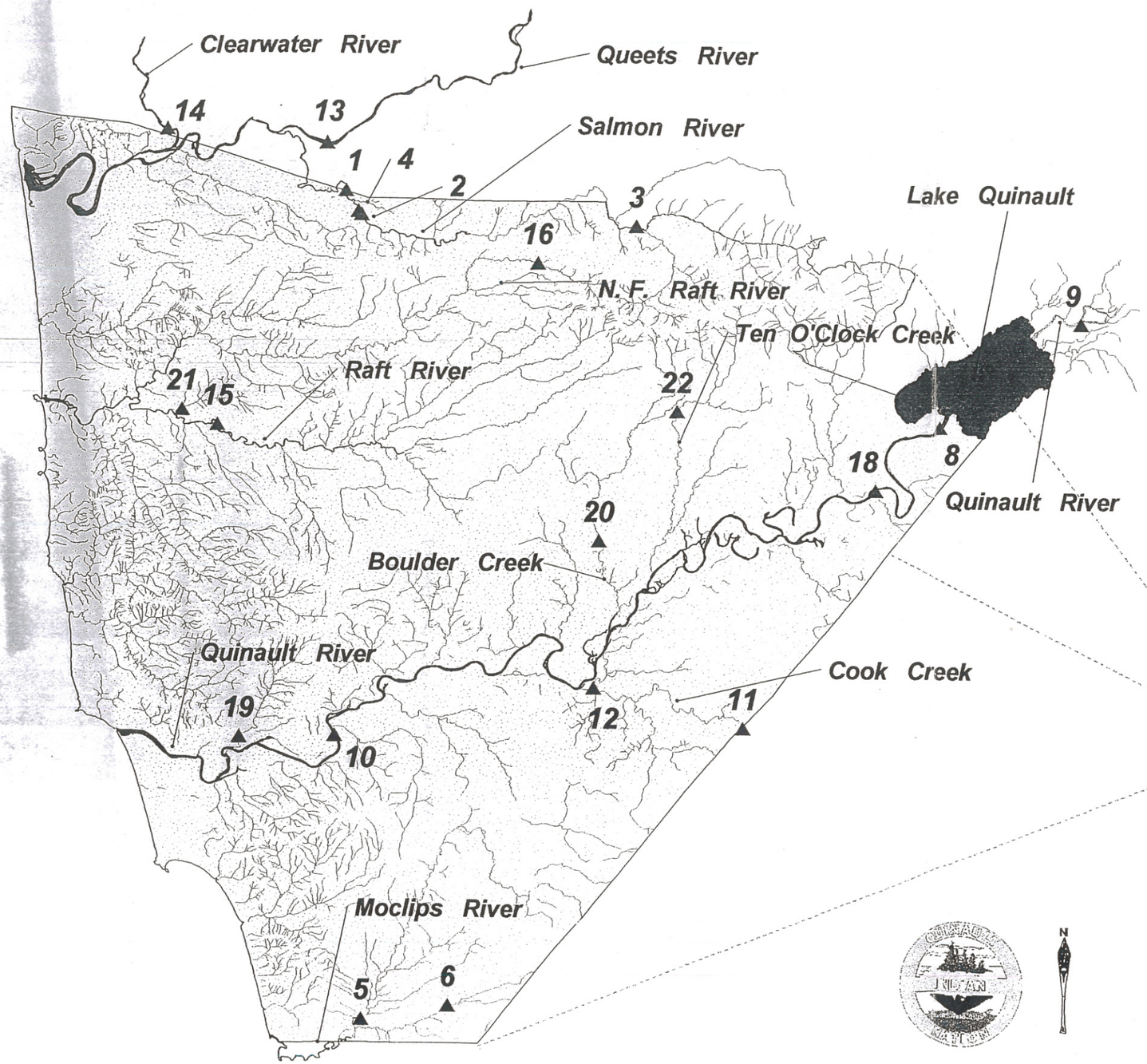
- Expanded and long-term monitoring.
- Implementation of the Preferred Alternative in the QIN EA and the FMP.
- Enforcement of the QIN Natural Resource Management Act (NRMA), Title 61.

QUINAULT INDIAN NATION

NON-POINT SOURCES OF WATER POLLUTION MANAGEMENT PLAN

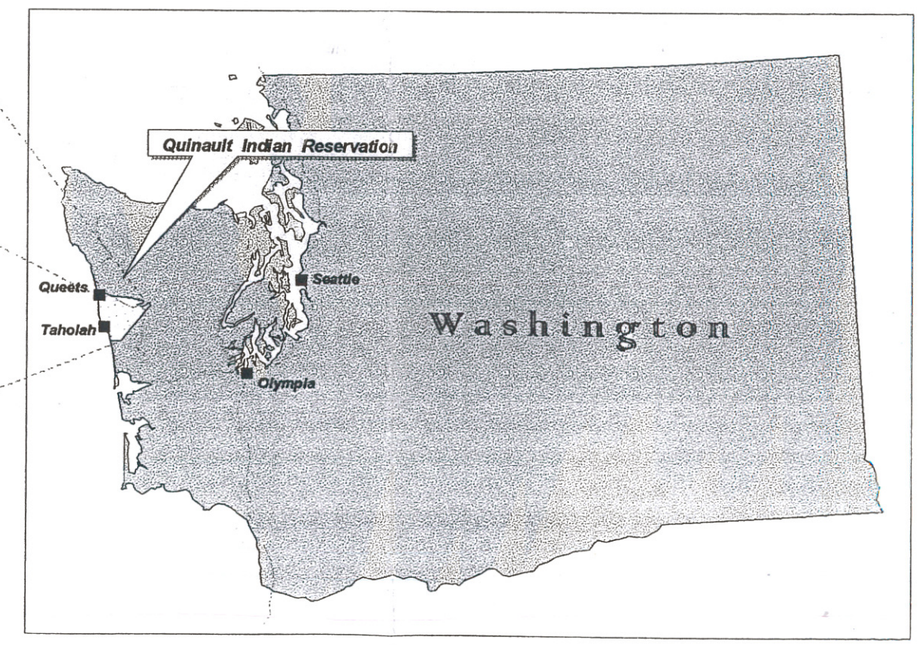
QUINAULT INDIAN NATION

WATER QUALITY SAMPLING STATIONS



LEGEND

- ▲ Water Quality Sampling Stations
- Hydrography
- Reservation Area



Location of Quinault Reservation